



2026 Chief FOIA Officer Report
Scott Flanders, Chief FOIA Officer

Contents

Section I: FOIA Leadership and Applying the Presumption of Openness.....	3
A. Leadership Support for FOIA.....	3
B. Presumption of Openness	3
Section II: Ensuring Fair and Effective FOIA Administration.....	4
A. FOIA Training.....	4
B. Outreach.....	6
C. Other Initiatives	7
Section III: Proactive Disclosures	11
Section IV: Steps Take to Greater Utilize Technology.....	14
Section V: Steps Taken to Remove Barriers to Access, Improve Timeliness in Responding to Requests, and Reduce Backlogs	16
A. Remove Barriers to Access	16
B. Timeliness.....	17
C. Backlogs.....	18
Backlogged Requests.....	18
Backlogged Appeals	19
D. Backlog Reduction Plans.....	20
E. Reducing the Age of Requests, Appeals, and Consultations	20
Ten Oldest Requests	20
Ten Oldest Appeals.....	21
Ten Oldest Consultations.....	21
Additional Information Regarding Ten Oldest.....	22
F. Additional Information about FOIA Processing	22

Section I: FOIA Leadership and Applying the Presumption of Openness

The guiding principle underlying the Attorney General's 2022 [FOIA Guidelines](#) is the presumption of openness. The Guidelines also highlight the importance of agency leadership in ensuring effective Freedom of Information Act (FOIA) administration. Please answer the following questions about FOIA leadership at your agency and describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA.

A. Leadership Support for FOIA

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

Yes.

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

Scott Flanders, Chief Information Officer, is the NRC's Chief FOIA Officer.

3. What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan?

The U.S. Nuclear Regulatory Commission (NRC) has a longstanding practice of conducting its regulatory responsibilities in an open and transparent manner, consistent with the NRC's Principles of Good Regulation which are Independence, Openness, Efficiency, Clarity and Reliability. These principles are incorporated into the NRC organizational values, Integrity, Service, Openness, Commitment, Cooperation, Excellence and Respect (ISOC CER). Transparency is an important part of ISOC CER. Additionally, FOIA has been added to the strategic plan, under goal 3, as a contributing program to continue to foster a healthy organization.

B. Presumption of Openness

4. DOJ's 2022 FOIA Guidelines provides that "agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions." Does your agency provide such confirmation in its response letters?

Yes. The NRC utilizes two standard forms (NRC Forms 464 Part I and Part II, as applicable) to respond to FOIA requests. Part II is utilized when information is withheld pursuant to one or more of the FOIA exemptions and includes the following statement: “Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)), after taking into consideration the foreseeable harm standard when reviewing records and applying these FOIA exemptions.” As such, the NRC confirms in every response where information has been withheld that it has considered the foreseeable harm standard when reviewing records applying exemptions.

5. In some circumstances, agencies may respond to a requester that it can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interest protected by a FOIA exemption. This is commonly referred to as a *Glomar* response. If your agency tracks *Glomar* responses, please provide:

- the number of times your agency issued a full or partial *Glomar* response during Fiscal Year (FY) 2025 (separate full and partial if possible);
- the number of times a *Glomar* response was issued by exemption during FY2025 (e.g., Exemption 7(C)—20 times, Exemption 1—5 times).

The NRC tracks these responses in FOIAXpress. During the reporting period, the NRC did not issue any full or partial *Glomar* responses.

6. 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: Ensuring Fair and Effective FOIA Administration

DOJ’s 2022 [FOIA Guidelines](#) provides that “[e]nsuring fair and effective FOIA administration requires . . . proper training, and a full understanding of FOIA obligations by the entire agency workforce.” The Guidelines reinforce longstanding guidance to “work with FOIA requesters in a spirit of cooperation.” DOJ also “urge[s] agency Chief FOIA Officers to undertake comprehensive review of all aspects of their agency’s FOIA administration” as part of ensuring fair and effective FOIA administration.

A. FOIA Training

1. 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.

The NRC offers annual FOIA training to the agency's FOIA Coordinators¹ that covers FOIA best practices and procedures at the NRC. Further, all staff have access to on-demand training modules through the agency's web-based training application. The NRC also offers *ad hoc* training and outreach events.

2. Did your FOIA professionals, or other personnel at your agency with FOIA responsibilities, attend substantive FOIA training during the reporting period, such as that provided by the Department of Justice?

Yes.

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

- **Conducted FOIA Coordinator Training**
 - **Topics covered:**
 - **Identification of the roles and responsibilities of Senior Management FOIA Officials and FOIA Coordinators at the NRC**
 - **Reviewed NRC's FOIA guidance documents**
 - **Discussed how to execute fee estimates and search taskings**
- **Attended Virtual Procedural Requirements and Fees Training (DOJ)**
 - **Topics covered:**
 - **Provided an overview of FOIA's procedural requirements**
 - **Provided an overview of the fee and fee waiver provisions**
- **Attended Virtual Privacy Considerations Training (DOJ)**
 - **Topics covered:**
 - **The interface between the FOIA and the Privacy Act**
 - **An overview of FOIA Exemptions 6 and 7(C)**

¹ At the NRC, each of its committees, boards, and offices ("office") is assigned a FOIA Coordinator who serves as the primary liaison for all FOIA-related matters within that office. The FOIA Coordinator is responsible for ensuring timely, accurate, and consistent handling of FOIA requests by performing the following key functions: (1) coordinate the office's response to FOIA tasks (fee estimate, search, and referral) to which they are assigned; (2) facilitate a shared understanding of the request's scope among office staff and promptly elevate any questions or concerns to the FOIA Specialist; (3) ensure comprehensive searches of shared locations and verify that all relevant records are identified; (4) de-duplicate records provided by office staff to eliminate redundancies and streamline review; (5) validate consistency in disclosure recommendations across office staff to maintain uniformity in decision-making; (6) complete all required documentation to support the office's FOIA response; (7) include "foreseeable harm" statements where applicable, in alignment with FOIA guidelines; and (8) provide accurate points of contact for licensees or other business submitters, as appropriate.

- **Attended Annual FOIA Report Refresher and Quarterly Report Training (DOJ)**
 - **Topics covered:**
 - **Addressed requirements for completing and submitting agencies' Annual and Quarterly FOIA Reports**

- **Attended Exemption 1 and Exemption 7 Training (DOJ)**
 - **Topics covered:**
 - **Provided an overview of Executive Order 13526**
 - **Covered the withholding of classified national security information**
 - **Provided an overview of FOIA's primary exemption for law enforcement records**
 - **Explained the Exemption 7's threshold requirement**
 - **Reviewed substantive subparts of the Exemptions**

4. 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%.

5. 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.

6. 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, and if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations and expectations during the FOIA process.

The NRC undertakes substantial efforts to inform non-FOIA professionals of their obligations under FOIA. This is accomplished through access to on-demand training modules through the agency's web-based training application. The NRC also offers ad hoc training and outreach events.

[B. Outreach](#)

7. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue and, if applicable, any specific examples.

Yes. As part of the standard request process, NRC's FOIA professionals proactively contact requesters concerning complex or voluminous requests to clarify or narrow the scope of requests. We also proactively solicit opportunities for requesters to clarify or narrow the scope of their requests in our acknowledgement and fee estimate letters.

8. Outside of the standard request process or routine FOIA Liaison or FOIA Requester Service Center interactions, did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? For example, did you proactively contact frequent requesters, host FOIA-related conference calls with open government groups, or provide FOIA training to members of the public? 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.

No. Outside of the standard request process and routine interactions with the FOIA Public Liaison and FOIA Requester Service Center, the NRC did not conduct additional outreach or dialogue with the requester community or open government groups during FY2025. The NRC Chief Information Officer, or his designee(s), attended Chief FOIA Officers Council and FOIA Advisory Committee meetings, led by the Office of Government Information Services (OGIS), whose meetings are open to the public. This engagement did not result in specific, documented improvements to NRC's FOIA administration during the reporting period.

9. 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 Fiscal Year 2025 (please provide a total number or an estimate of the number for the agency overall).

The NRC FOIA Public Liaison was contacted fewer than five (5) times during FY2025.

[C. Other Initiatives](#)

10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement.

Staffing for the FOIA program during FY2025 was reduced from ten to eight full-time professionals. To account for this staffing change, the NRC implemented workload prioritization strategies, leveraged technology-assisted tools such as FOIAXpress and Microsoft Purview to streamline searches and deduplication, and reinforced internal coordination to maintain efficiency. While the volume and complexity of the program's workload significantly increased, the NRC continues to ensure compliance with FOIA obligations by prioritizing timely and accurate responses, upholding transparency, and exploring opportunities for further process improvements.

11. How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics, etc. In addition, please specifically highlight any data analysis methods or technologies used.

The NRC employs a comprehensive, data-driven approach to manage its FOIA workload efficiently. We maintain quarterly performance metrics to monitor the timeliness of responses from program and regional offices for fee estimates and search taskings. Offices are expected to respond within four days to the fee estimates and ten days for search requests. Compliance reports are generated at the end of each quarter and shared with agency leadership, ensuring accountability and enabling informed resource decisions.

In addition to quarterly reviews, weekly reporting tracks key indicators such as cases received, cases closed, and backlog volume. These metrics allow leadership to identify trends, anticipate challenges, and implement mitigation strategies proactively. FOIA staff also leverage FOIAXpress ad hoc reporting and statistical analysis tools to provide real-time snapshots of processing activity. This data has been instrumental in identifying bottlenecks within specific program offices and guiding process improvements, such as refining workflows and enhancing coordination.

To further improve efficiency, the NRC utilizes technology-assisted features in FOIAXpress, including automated deduplication and predictive coding, which streamline searches and reduces review time. These efforts align with DOJ best practices for data-driven FOIA management and demonstrate our commitment to continuous improvement, transparency, and timely responses.

12. The Federal [FOIA Advisory Committee](#), comprised of agency representatives and members of the public, was created to foster dialogue between agencies and the requester community, solicit public comments, and develop recommendations for improving FOIA administration. Since 2020, the FOIA Advisory Committee has issued a number of [recommendations](#). Please answer the below questions:

- Is your agency familiar with the FOIA Advisory Committee and its recommendations?
- Has your agency implemented any of its recommendations or found them to be helpful? If so, which ones?

Yes, the agency is familiar with the FOIA Advisory Committee, and its recommendations. The NRC has implemented prior Committee recommendations. For example, in response to recommendation 2022-03, the NRC posted information on its website about *Glomar* responses: “[Glomar: Neither Confirm Nor Deny the Existence of Records](#).”

In response to recommendation 2022-10, the NRC posts Portable Document Format (PDF) searchable logs on its website for [incoming](#) and [closed](#) FOIA requests.

In response to recommendation 2022-13, the NRC streamlined its process for individuals seeking verification and copies of their reactor operator license. Now, these individuals may submit a FOIA request.

13. Optional—If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here.

The NRC undertook initiatives during this reporting period to ensure fair and effective FOIA administration by updating records management processes, implementing IT-assisted email searches to increase effectiveness, revising agency regulations and providing training and guidance on FOIA-related roles and responsibilities to improve overall FOIA administration.

The NRC has a longstanding history of standardizing the information that is included in its determination letters into NRC Form 464, *Response to Freedom of Information Act (FOIA) Request*. This form provides additional context and information than what is required in an initial determination letter (e.g., the NRC search process and categories of records withheld). In practice, requesters are less likely to appeal if information is provided to the requester in this standardized, easy to read format with additional specificity.

During FY2025, the NRC focused on aligning the FOIA program with its Strategic Plan to *Empower, Serve, and Protect*. A key component of this effort involved a comprehensive review of the agency's records management practices as they relate to FOIA. In collaboration with the NRC Records Management Team, we refined and implemented data policies governing records maintained in both the internal case processing system and ADAMS (Agencywide Documents Access and Management System - the NRC's official recordkeeping system). These policies establish consistent, agency-wide standards to ensure records are managed uniformly across all systems in compliance with agency regulations and best practices. Records and data were disposed of in accordance with approved disposition schedules, enabling staff across the agency to conduct more targeted and less time-intensive searches for responsive records.

Microsoft Purview was implemented to enhance the management and accessibility of electronic records. The platform enables staff to leverage machine learning capabilities to perform enterprise-wide Boolean and keyword searches, as well as technology-assisted search methods to manage and streamline document production. These capabilities have significantly reduced the agency's reliance on manual searches and lowered the overall human burden associated with records retrieval.

The NRC is currently revising the agency regulations that govern responses to FOIA requests. These updates are intended to improve clarity through the use of plain language, strengthen agency accountability, enhance efficiency in FOIA processing, update roles and responsibilities, and align NRC regulations with current federal best practices for FOIA implementation.

Additionally, FOIA best practices were reinforced through training and information-sharing sessions. These sessions provided an overview of FOIA and clarified the roles and responsibilities of NRC staff who play key roles in the process. The training also offered practical guidance across multiple agency functions to ensure consistent understanding and application of FOIA requirements.

The FOIA Officer also chairs a monthly FOIA meeting attended by the FOIA Officer or her designated representative, along with other NRC personnel. This forum provides an opportunity to exchange FOIA guidance, discuss upcoming training opportunities, and identify ways to enhance efficiency and collaboration across the agency.

Section III: Proactive Disclosures

The Attorney General's 2022 [FOIA Guidelines](#) emphasize that "proactive disclosure of information is . . . fundamental to the faithful application of the FOIA." The Guidelines direct agencies to post "records online quickly and systematically in advance of any public request" and reiterate that agencies should post records "in the most useful, searchable, and open formats possible."

1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.

The NRC maintains a robust recordkeeping repository that contains collections of publicly available documents in its web-based ADAMS system. This system contains agency records dating back to 1999. It also provides the public access to official agency records (non-sensitive), in addition to records in the agency's Publicly Available Records System Library and Public Legacy Library. Examples of records maintained in ADAMS include publicly available regulatory guides, NUREG-series reports, inspection reports, Commission documents, correspondence, and other regulatory and technical documents written by NRC staff, contractors, and licensees. Moreover, ADAMS documents are provided in Adobe PDF. ADAMS permits full text searching and enables users to view document images, download files, and print locally. Lastly, new documents become accessible on the day they are published and are released periodically throughout the day.

2. Does your agency post logs of its FOIA requests?

- If so, what information is contained in the logs?
- Are they posted in CSV format? If not, what format are they posted in?
- Please provide a link to the page where any FOIA logs are posted. If applicable, please provide component links.

Yes, the NRC posts logs of its FOIA requests consisting of an index of incoming requests from January 2016 to the present. The index contains a chronological listing of Freedom of Information Act and Privacy Act (FOIA/PA) requests submitted to the NRC during each month of a Fiscal Year. These listings include the subject, requester's name, requester's organization, request description and reference number of each request. The index is keyword searchable.

The NRC also posts an index of closed FOIA requests from 1998 to the present. This index includes the data available in the incoming request index, in addition to the closed and received date for the FOIA request. If the request included

information that the agency made publicly available, there is a link within the index that directs the user to ADAMS, the NRC's public record repository, to download the PDFs responsive to that request. The index is also keyword searchable.

The indexes are not CSV formatted. Since the indexes are part of the NRC's public-facing web page, the format would be considered HTML. The hyperlinks for the incoming and closed indexes are:

<https://www.nrc.gov/reading-rm/foia/recent-request.html>

<https://www.nrc.gov/reading-rm/foia/closed-request.html>

3. Provide examples of any material (with links) 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).

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 prepared guidance about this policy, which is available to the public at [ML072770468](#), "Guidance for Determining the Public Availability of Documents."

The NRC Management Directive 3.4, "Release of Information to the Public," at [ML080310417](#), provides internal 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 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 NRC routinely releases non-sensitive records to the public in ADAMS 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>

4. Please provide a link (or component links, if applicable) where your agency routinely posts its frequently requested records.

The agency posts its frequently requested records at the following link:
<https://www.nrc.gov/reading-rm/foia/foia-privacy.html>

5. 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? If yes, please provide examples of such improvements, such as steps taken to post information in open and machine-readable formats. If not taking steps to make posted information more useful, please explain why.

Yes. Recently, the NRC rolled out a new ADAMS Public Search interface that incorporated several requested features including a new application programming interface (API). API's allow users and systems to query and retrieve data automatically.

6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction.

Yes, as part of the NRC's proactive disclosure process, the NRC FOIA Team often collaborates with the NRC's Digitization, Processing, and Records Branch, as well as the NRC's Technical Library and its Public Document Room.

7. Optional—Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area.

In line with the agency's commitment to transparency, the NRC uses sound records management processes and procedures to ensure that information of interest to the public is proactively disclosed and made available in ADAMS. In FY2025 the NRC posted and made publicly available 24,435 records in ADAMS.

Section IV: Steps Take to Greater Utilize Technology

A key component of FOIA administration is using technology to make information available to the public and to gain efficiency in FOIA processing. The Attorney General's 2022 [FOIA Guidelines](#) emphasizes the importance of making FOIA websites easily navigable and complying with the [FOIA.gov](#) interoperability requirements. Please answer the following questions to describe how your agency is using technology to improve its FOIA administration and the public's access to information.

1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?

Yes. Throughout the reporting period we have routinely met with internal stakeholders to review and discuss FOIA-related technology that is available at the agency.

2. Please briefly describe any new types of technology your agency uses to support your FOIA program.

The NRC did not use any new technology to support our FOIA programs during this reporting period. During FY2025, we have continued to explore new ways to leverage existing agency technology including deduplication tools and administrative search tools.

3. Does your agency currently use any technology to automate record processing? For example, does your agency use machine learning, predictive coding, technology-assisted review or similar tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology.

The NRC currently uses Active Navigation to analyze and manage the digital file environment supporting ADAMS. Active Navigation enables the electronic management of unstructured data and records across the agency's M365 environment and shared drives. The platform incorporates machine learning and predictive coding capabilities to enhance data organization and retrieval.

In addition, the NRC uses Microsoft Purview to leverage machine learning tools for enterprise-wide Boolean and keyword searches, as well as technology-assisted search methods to support document management and streamline production. This capability significantly reduces the manual effort required by staff to locate and review responsive records.

Furthermore, the agency's FOIA office uses FOIAXpress for processing FOIA responses. A component of this software is the electronic document review (EDR) function. It deduplicates large volumes of records. The EDR component also identifies the representative document from sets of contained e-mail chains among the reviewed records. FOIAXpress also contains an Artificial Intelligence feature that is capable of machine learning and predictive coding by setting up templates with the Artificial Intelligence license for each user. Finally, FOIAXpress possesses a "Find and Redact" feature (a type of technology-assisted review) that allows the FOIA staff to search responsive records for keywords or specific types of information such as phone numbers or Social Security Numbers.

4. 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, each year the NRC routinely reviews and updates the internal and public-facing FOIA websites after the submission of the Annual FOIA Report to DOJ.

5. Did all four of your agency's [quarterly reports](#) for Fiscal Year 2025 appear on FOIA.gov?

Yes, the agency posted all four quarterly reports for FY2025 on FOIA.gov.

6. If your agency did not successfully post all quarterly reports on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2026.

N/A.

7. 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 2024 Annual FOIA Report and, if available, for your agency's Fiscal Year 2025 Annual FOIA Report.

The NRC's Annual FOIA Report for FY2025 may be found at:

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

8. In February 2019, DOJ and the Office of Management and Budget issued joint [Guidance](#) establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance?

Yes, the NRC follows the guidance establishing interoperability standards.

9. Optional—Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area.

N/A.

Section V: Steps Taken to Remove Barriers to Access, Improve Timeliness in Responding to Requests, and Reduce Backlogs

The Attorney General's 2022 [FOIA Guidelines](#) instruct agencies "to remove barriers to requesting and accessing government records and to reduce FOIA processing backlogs." Please answer the following questions to describe how your agency is removing barriers to access, improving timeliness in responding to requests, and reducing FOIA backlogs.

A. Remove Barriers to Access

1. Has your agency established alternative means of access to first-party requested records, outside of the typical FOIA or Privacy Act process?

Yes.

2. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know.

The NRC provides individuals with the opportunity to request Radiation Worker Dose History through an alternative means, separate from FOIA. NRC employees are also provided access to their time and labor records and their performance-related documents (e.g., appraisals, elements and standards) outside of FOIA or the Privacy Act.

3. Please describe any other steps your agency has taken to remove barriers to accessing government information.

Whenever possible, the NRC proactively posts publicly available records in ADAMS, the agency's official record repository. The records are 508 compliant and searchable. Links to public FOIA responses are also posted in the FOIA Reading Room. Additionally, included in the NRC's Public Access Link (<https://nrc.secureocp.com/>) is direct access to the public-facing ADAMS page allowing requesters to search for records before submitting a FOIA request.

B. Timeliness

4. For Fiscal Year 2025, 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 2025 Annual FOIA Report.

The average number of days is < 1 day.

5. If your agency's average number of days to adjudicate requests for expedited processing was above 10 calendar days, according to Section VIII.A. of your agency's Fiscal Year 2025 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within 10 calendar days or less.

N/A.

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

Yes.

7. 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 20 working days or fewer in Fiscal Year 2025?

The average number of days to process simple requests is 31.5 days.

8. If not, did the simple track average processing time decrease compared to the previous Fiscal Year?

No. The average number of days increased compared to last year.

9. Please provide the percentage of requests processed by your agency in Fiscal Year 2025 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.

35% ((307 divided by 871) X 100).

10. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests 20 working days or fewer?

N/A.

C. Backlogs

Backlogged Requests

11. If your agency had a backlog of requests at the close of Fiscal Year 2025, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024?

No. The backlog for FY2025 increased to 144 requests, representing a rise of 47 requests compared to the previous fiscal year.

12. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2025 than it did during Fiscal Year 2024?

Yes. The agency processed 461 requests in FY2024 and 871 requests in FY2025. This is an increase of 410 requests.

13. If your agency's request backlog increased during Fiscal Year 2025, 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.
- A loss of staff.
- 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)
- Litigation
- Any other reasons—please briefly describe or provide examples when possible

The NRC's backlog increased during FY2025 primarily due to a significant rise in the number of incoming requests. In addition, the agency experienced staffing reductions that created challenges related to resource allocation and the continuity of institutional knowledge. Despite these constraints, the NRC made every effort to reduce the backlog with the resources available. There were no contributing factors related to litigation.

14. 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 2025. 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. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."

20% ((144 divided by 714) X100).

Backlogged Appeals

15. If your agency had a backlog of appeals at the close of Fiscal Year 2025, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024?

No. The backlog remained four appeals for both FY2024 and FY2025.

16. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2025 than it did during Fiscal Year 2024?

Yes. During FY2024, we processed six appeals as compared to seven appeals in FY2025.

17. If your agency's appeal backlog increased during Fiscal Year 2024, 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
- A loss of staff
- 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)
- Litigation
- Any other reasons—please briefly describe or provide examples when possible

N/A.

18. 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 2025. 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. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2025 and/or has no appeal backlog, please answer with "N/A."

50% ((4 divided by 8) X 100).

D. Backlog Reduction Plans

19. In the 2025 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2024 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 2025?

No, the NRC did not implement a formal backlog reduction plan during Fiscal Year 2025. However, the NRC remains fully committed to assessing agency-wide needs and implementing measures to mitigate the backlog of perfected FOIA requests.

20. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2024, please explain your agency's plan to reduce this backlog during Fiscal Year 2025.

N/A.

E. Reducing the Age of Requests, Appeals, and Consultations

Ten Oldest Requests

21. In Fiscal Year 2025, did your agency close the 10 oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2024 Annual FOIA Report?

No.

22. 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 2024 Annual FOIA Report. If you had less than 10 total oldest requests to close, please indicate that.

Eight out of Ten.

23. Beyond work on the 10 oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

The NRC is committed to reducing the overall age of its pending requests. During the reporting period, FOIA professional used a variety of proven strategies to reduce the overall age of pending requests. Those efforts included enhancing coordination and communication with requesters and holding biweekly meetings with staff to provide an opportunity to discuss processing steps and case obstructions.

Ten Oldest Appeals

24. In Fiscal Year 2025, did your agency close the 10 oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2024 Annual FOIA Report?

No.

25. 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 2024 Annual FOIA Report. If you had less than 10 total oldest appeals to close, please indicate that.

One of four.

26. Beyond work on the 10 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 its pending appeals through more communication with its program offices to better understand their process in response to being tasked with identifying fee estimates, searching for records, and developing foreseeable harms statements and disclosure recommendations. We will continue to work with staff to ensure they better understand the FOIA and the importance of adhering to assigned response times and prioritizing FOIA activities.

Ten Oldest Consultations

27. In Fiscal Year 2025, did your agency close the 10 oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2024 Annual FOIA Report?

N/A.

28. 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 2024 Annual FOIA Report. If you had less than 10 total oldest consultations to close, please indicate that.

N/A.

Additional Information Regarding Ten Oldest

29. If your agency did not close its 10 oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those “10 oldest” requests, appeals, and consultations during Fiscal Year 2026.

The NRC FOIA team experienced unexpected reductions in staffing that impacted the agency’s ability to close pending requests, appeals, or consultations. For FY2026, the NRC is placing focused attention on the oldest 10 requests and appeals by assessing what is pending, coordinating with the relevant program offices, and underscoring the importance of prioritizing all concurrence reviews which are required prior to disclosing interim and final responses.

F. Additional Information about FOIA Processing

30. Were any requests at your agency the subject of FOIA litigation during the reporting period? If so, please describe the impact on your agency’s overall FOIA request processing and backlog. If possible, please indicate:

- The number and nature of requests subject to litigation
- Common causes leading to litigation
- Any other information to illustrate the impact of litigation on your overall FOIA administration

N/A.