

June 30, 2005

MEMORANDUM TO: Karen D. Cyr
General Counsel

Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-05-0091 - TASK FORCE
REPORT ON PUBLIC DISCLOSURE OF SECURITY-RELATED
INFORMATION

The Commission has approved the Task Force recommendations on public disclosure of security-related information. The staff should make the Task Force report available to the public.

The second recommendation should be restated to read: "That to the extent practicable, the SISF criteria should follow the principles for withholding security-related information under FOIA."

The staff should advise the Commission of the actions it has taken or plans to take to implement the recommendation regarding contracts, grants or other arrangements for preparation of reports on security-related matters.

In light of the "Lessons Learned" section of the report, OGC should formulate model language to be incorporated into future contracts and grants that would prescribe clear requirements for production of reports, publication of results, and responsibility for identifying and marking sensitive information. OGC should carefully consider the report's recommendations to determine if other areas might benefit from development of model language. Any model language should be carefully reviewed prior to inclusion into future documents and if necessary, specifically tailored to meet the needs of the Agency in a particular agreement.

The staff, in consultation with OGC, should develop and implement an enhanced and regularly-scheduled periodic training program for NRC staff members who routinely deal with FOIA matters. Because FOIA continues to evolve through court decisions, the training program material should be updated on a periodic basis and the updated information routinely provided to those with FOIA duties. Additionally, in developing this training program, the staff should consider developing a program that would allow the material to be accessed with ease, perhaps a web-based training module, so that staff members with periodic FOIA questions would be able to easily review the latest agency guidance. The staff should also consider integrating this enhanced FOIA training with training regarding the marking and protection of sensitive documents.

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
DOC
CFO
OCA
OPA
PDR