

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: EDO

To: Bird, HR

AUTHOR: Jams Foster

AFFILIATION:

ADDRESSEE: CHRM Nils Diaz

SUBJECT: Concerns incorrect information sent to OPM

ACTION: Appropriate

DISTRIBUTION: RF

LETTER DATE: 11/04/2003

ACKNOWLEDGED No

SPECIAL HANDLING: RELEASE IMMEDIATELY VIA SECY/EDO/DPC INTO ADAMS

NOTES:

FILE LOCATION: ADAMS

DATE DUE:

DATE SIGNED:

CYS: EDO
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OI
OGC
OIG

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Date: Tue, Nov 4, 2003 1:14 PM
Subject: SORRY, I WAS WRONG ABOUT ANYONE AT NRC WANTING TO CORRECT INCORRECT INFORMATION SENT TO OPM

I filled out an Information Correction Request form on the NRC website.
I had sent them the following:

A portion of the Nuclear Regulatory Commission's May 28, 2003 response to Mr. Ronald Sanders, Associate Director For Strategic Resources Policy, Office of Personnel Management, regarding the "COLLECTION OF INFORMATION REGARDING EMPLOYEES WITH LAW ENFORCEMENT DUTIES," was that "NRC Office of Investigation (OI) LEOs when deputized as Special Deputy U.S. Marshals have full arrest authority. Deputations are maintained for the duration of the investigation," and "NRC LEOs who are deputized as Special Deputy U.S. Marshals, carry firearms in accordance with agency policy while in the performance of official duties."

I made a FOIA request to the NRC for any records regarding deputization of NRC OI personnel, and got two documents, both related to the proposed deputization of a single OI investigator circa June-August 1992. The documents indicate that there was discussion of this deputization; neither of the documents indicates that the deputization occurred. As my FOIA request covered 1982-2002, I conclude that no OI personnel have been deputized in that timeframe, some twenty years.

I got the following e-mail in response:

"This is to acknowledge receipt of your INFORMATION CORRECTION REQUEST. NRC is reviewing your request and will be in contact with you in the future concerning it. Information Quality Coordinator."

Yesterday I got a letter dated October 31, 2003, from the NRC. It indicates that my request "does not fall within the scope of the NRC's Information Quality Guidelines and, in fact, is explicitly exempt from them." Exempt from the NRC Guidelines are "Shared government information or information that is intended to be limited to inter-agency use..."

Apparently, NRC has exempted interagency information from being correct or correctable, and has chosen to let the lie continue. Sorry for my exuberance in thinking that they might tell the truth about the number of times NRC OI personnel have been deputized. Do not expect any correction(s) from NRC on this subject.

Jim Foster
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