

RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

FOIA

NRC-2018-000068

RESPONSE NUMBER

1

RESPONSE
TYPE☐

INTERIM

☒

FINAL

REQUESTER:

Julian Tarver

DATE:

12/19/2017

DESCRIPTION OF REQUESTED RECORDS:

"Org chart, payscale, job duties/purpose and cell number assigned to James Adler"

PART I. -- INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- ☐ Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- ☒ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Comments.

PART I.A -- FEES

NO FEES

AMOUNT*

*See Comments for details

- ☐ You will be billed by NRC for the amount listed.
- ☐ You will receive a refund for the amount listed.
- ☐ Fees waived.

- ☐ Minimum fee threshold not met.
- ☐ Due to our delayed response, you will not be charged fees.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☐ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☒ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- ☒ You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

PART I.C COMMENTS (Use attached Comments continuation page if required)

The NRC does not release cell phone numbers of its employees due to personal privacy concerns.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney
Date: 2017.12.19 14:28:24 -05'00'

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PART II.A -- APPLICABLE EXEMPTIONS

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)).

- ☐ Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- ☐ Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- ☐ Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
- ☐ Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
- ☐ Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
- ☐ 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the submitter of the proposal.
- ☐ Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
- ☐ The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
- ☐ The information is considered to be another type of confidential business (proprietary) information.
- ☐ The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- ☐ Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
- ☐ Deliberative process privilege.
- ☐ Attorney work product privilege.
- ☐ Attorney-client privilege.
- ☒ Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- ☐ Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
- ☐ (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
- ☐ (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
- ☐ (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
- ☐ (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
- ☐ (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- ☐ Other

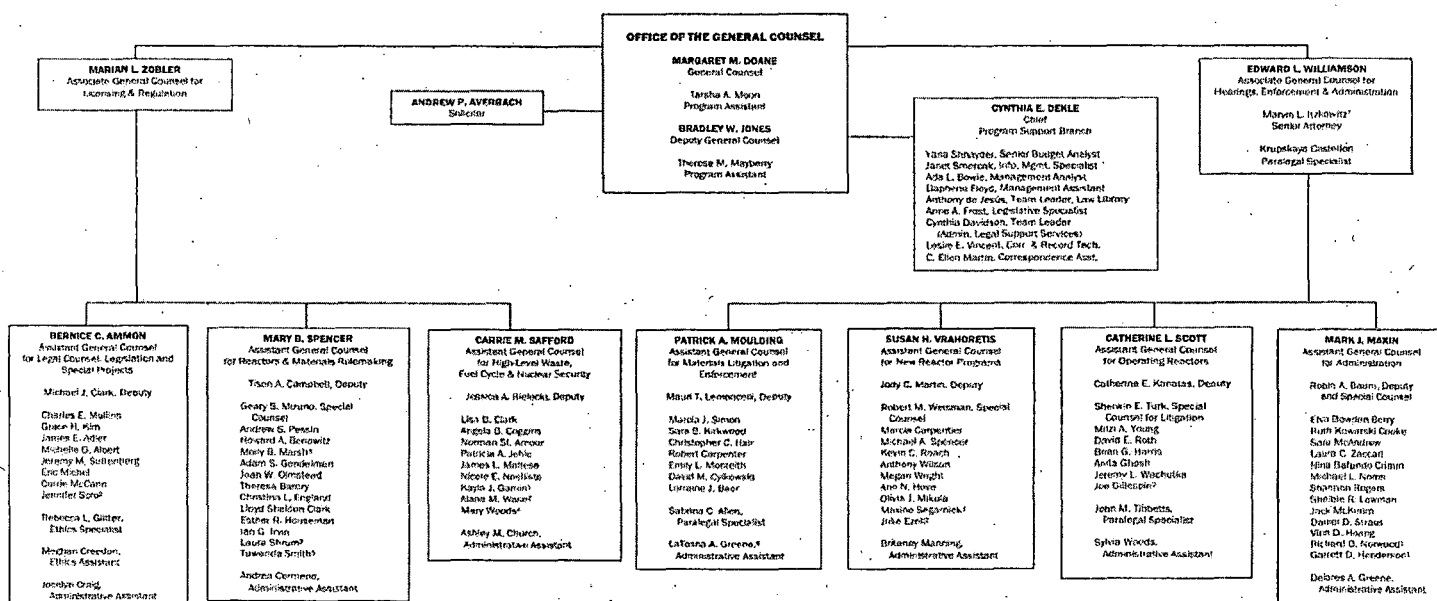
PART II.B -- DENYING OFFICIALS

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			EDO	SECY
Stephanie Blancy	FOIA Officer/OCIO	cell phone number	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Appeals must be made in writing within 90 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

November 27, 2017



REGIONAL COUNSEL
I. Brett M. Kuehn
II. Sarah W. Price
III. Jared K. Heck
IV. Vacant

(b)(6)

Steven Savoy
Contract Support Secretary

SALARY TABLE 2017-DCB
INCORPORATING THE 1% GENERAL SCHEDULE INCREASE AND A LOCALITY PAYMENT OF 27.10%
FOR THE LOCALITY PAY AREA OF WASHINGTON-BALTIMORE-ARLINGTON, DC-MD-VA-WV-PA
TOTAL INCREASE: 2.88%
EFFECTIVE JANUARY 2017

Annual Rates by Grade and Step

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1	\$ 23,547	\$ 24,335	\$ 25,118	\$ 25,897	\$ 26,680	\$ 27,137	\$ 27,911	\$ 28,693	\$ 28,723	\$ 29,450
2	26,474	27,104	27,981	28,723	29,046	29,900	30,754	31,608	32,463	33,317
3	28,886	29,849	30,813	31,776	32,740	33,703	34,667	35,630	36,593	37,557
4	32,428	33,509	34,589	35,669	36,750	37,830	38,910	39,991	41,071	42,151
5	36,281	37,491	38,701	39,911	41,121	42,331	43,541	44,751	45,961	47,171
6	40,442	41,790	43,139	44,488	45,836	47,185	48,533	49,882	51,230	52,579
7	44,941	46,440	47,938	49,437	50,935	52,434	53,932	55,431	56,929	58,428
8	49,771	51,430	53,088	54,747	56,406	58,064	59,723	61,382	63,040	64,699
9	54,972	56,805	58,638	60,470	62,303	64,136	65,969	67,801	69,634	71,467
10	60,538	62,556	64,574	66,593	68,611	70,629	72,648	74,666	76,685	78,703
11	66,510	68,727	70,943	73,160	75,377	77,593	79,810	82,027	84,243	86,460
12	79,720	82,377	85,035	87,693	90,350	93,008	95,666	98,323	100,981	103,639
13	94,796	97,956	101,116	104,275	107,435	110,595	113,755	116,914	120,074	123,234
14	112,021	115,755	119,489	123,223	126,958	130,692	134,426	138,160	141,894	145,629
15	131,767	136,160	140,552	144,945	149,337	153,730	158,123	161,900 *	161,900 *	161,900 *

* Rate limited to the rate for level IV of the Executive Schedule (5 U.S.C. 5304 (g)(1)).

Applicable locations are shown on the 2017 Locality Pay Area Definitions page: <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2017/locality-pay-area-definitions/>

OFFICE OF THE GENERAL COUNSEL

DIVISIONAL RESPONSIBILITIES

Legal Counsel, Legislation and Special Projects Division

Functions:

This Division assists the General Counsel in providing legal advice and assistance to the Commission in the review of significant adjudicatory decisions, on the implementation of government ethics regulations, and in the development of the Commission's legislative program, including the drafting of proposed legislation for Commission consideration. The Legal Counsel Division also advises on the legal and policy implications of legislation referred to the Commission for comment and on the implementation of the Freedom of Information Act, Privacy Act, Federal Advisory Committee Act, Paperwork Reduction Act, Congressional Review Act, and the Government in the Sunshine Act. It provides legal advice and assistance to the Office of Investigations and the Office of Commission Appellate Adjudication; provides advice to the Office of Information Services on matters related to the electronic storage and transmission of documents, and advises the Office of the Chief Financial Officer on user fee issues.

Typical Services:

Represents the NRC in federal court litigation, especially in the courts of appeals (other than cases those involving personnel matters).

Advising the Office of Investigations on the conduct of its investigations, including the issuance of subpoenas, preparing NRC responses to subpoenas that are issued to NRC employees to assist in discovery in lawsuits to which the NRC is not a party (*Touhy requests*), and managing NRC discovery responses, including litigation holds, in government cases not directly involving the NRC.

Drafting legislation, agency views on pending legislation, and analyzing newly enacted legislation and newly issued executive orders. Assisting the agency in its dealings with Congress and serving as liaison to OMB on legislative matters.

Administering the agency's ethics program, including providing ethics training, reviewing financial disclosure reports, and providing ethics advice to current and former NRC employees. Advising employees on whether political activities are permitted under the Hatch Act.

Advising the Office of International Programs on export, import, and nonproliferation matters, including the negotiation of international treaties, and agreements on these subjects. Preparing Commission adjudicatory orders on export and import licensing matters.

Advising the Secretary of the Commission and the Commission on the disposition of requests for hearings and other adjudicatory matters before an Atomic Safety Licensing Board is appointed, and reviewing, when requested, draft orders written by the Office of Commission Appellate Adjudication.

Advising on electronic government issues and the implementation of federal information and records laws, including the Freedom of Information Act, the Privacy Act, the handling and disclosure of proprietary or confidential business information submitted to the NRC, and copyright law.

Advising on administrative law statutes, including the Administrative Procedure Act, the Government in the Sunshine Act, the Congressional Review Act, the Paperwork Reduction Act, and the Federal Advisory Committee Act.

Advising the Chief Financial Officer on user fee matters.

Advising the agency on implementation of the Price-Anderson Act.

Monitoring and analyzing for the agency activity that might be preempted by the Atomic Energy Act or other Federal statutes administered by the NRC or that might lead to federal regulation under those same statutes.

Advising the General Counsel on whether to seek to initiate claims under the Program Fraud Civil Remedy Act for small dollar fraud against the NRC.

Advising the agency on issues pertaining to NRC's independence from the Executive Branch.

Advising the Secretary and the Commission on matters pertaining to the *Internal Commission Procedures*.

Completing special projects assigned by OGC management or the Commission.

Non Responsive Record

Non Responsive Record

Non Responsive Record

Non Responsive Record

Non Responsive Record

Non Responsive Record