

RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

1

2017-0370

RESPONSE
TYPE☐

INTERIM

☒

FINAL

REQUESTER:

John Greenewald

DATE:

01/22/2018

DESCRIPTION OF REQUESTED RECORDS:

Copy of records, electronic or otherwise, of the Agency Security Classification Management Program Data SF-311 forms filled out by your agency, for the last three years

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

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.

NO FEES

- ☒ 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)

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney

Date: 2018.01.22 11:32:29 -05'00'



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

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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 or 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 Blaney	FOIA Officer/OCIO	Security related information	<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."

AGENCY SECURITY CLASSIFICATION MANAGEMENT PROGRAM DATA

(Submissions must be unclassified and reach the Information Security Oversight Office (ISOO) no later than November 15 following the reporting period.)

PART A: Identifying Information		
1. Enter the Fiscal Year that this report covers.	1.	2014
2. Identify the Department, Independent agency, or Establishment that is covered by this report.	2.	U.S. Nuclear Regulatory Commission
3. Enter the name, title, address, phone, fax, and e-mail address of the Senior Agency Official (as defined in E.O. 13526, section 5.4(d)) responsible for this report.	3.	Michael R. Johnson; Deputy Executive Director for Reactor and Preparedness Programs 11555 Rockville Pike, Mail Stop OWEN 16-113, Rockville, MD 20852 Office (301) 415-1713, E-mail: Michael.Johnson@nrc.gov, Fax: (301) 415-2701
4. Enter the name, title, phone, fax, and email address for the point-of-contact responsible for answering questions about this report.	4.	Gannon West, Jr., Chief, Information Security Branch, Office of Nuclear Security and Incident Response Office (301) 415-7187, Fax: (301) 415-2190, E-mail: Gannon.West@nrc.gov
PART B: Officials with Original Classification Authority		
5. Enter the number of agency officials whose highest level of original classification authority is TOP SECRET.	5.	7
6. Enter the number of agency officials whose highest level of original classification authority is SECRET.	6.	4
7. Enter the number of agency officials whose highest level of original classification authority is CONFIDENTIAL.	7.	0
8. Total number of officials with original classification authority. (Sum of blocks 5, 6, & 7)	8.	11
PART C: Original Classification Decisions		
Original classification is an initial determination that the information to be classified has not been previously classified by any other authority. It also meets the following conditions: (1) it was classified by an original classification authority; (2) the information is owned by or for, or is under the control of the United States Government; (3) it falls into at least one of the categories from section 1.4 of E.O. 13526; and (4) unauthorized disclosure could reasonably be expected to result in damage to the national security. (Provide information on all original classification decisions, regardless of the media, including those documented and disseminated via email. Do not count reproductions or copies.)		
9. Enter the number of original TOP SECRET classification decisions made during the reporting period with declassification instructions of 10 years or less.	9.	0
10. Enter the number of original TOP SECRET classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	10.	0
11. Total number of TOP SECRET original classification decisions. (Sum of blocks 9 & 10).	11.	0
12. Enter the number of original SECRET classification decisions made during the reporting period with declassification instructions of 10 years or less.	12.	0
13. Enter the number of original SECRET classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	13.	2
14. Total number of SECRET original classification decisions. (Sum of blocks 12 & 13)	14.	2
15. Enter the number of original CONFIDENTIAL classification decisions made during the reporting period with declassification instructions of 10 years or less.	15.	0
16. Enter the number of original CONFIDENTIAL classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	16.	0
17. Total number of CONFIDENTIAL original classification decisions. (Sum of blocks 15 & 16)	17.	0
18. Total number of original classification decisions. (Sum of blocks 11, 14, & 17)	18.	2
PART D: Derivative Classification Decisions		
Derivative classification is the incorporating, paraphrasing, restating, or generating in new form information that is already classified. This includes classification based on classification guides or other source documents. (Provide information on all classification decisions, regardless of the media, including those documented and disseminated via email. Do not count reproductions or copies.)		
19. Enter the number of derivative TOP SECRET classification decisions made during the reporting period.	19.	13
20. Enter the number of derivative SECRET classification decisions made during the reporting period.	20.	1,433
21. Enter the number of derivative CONFIDENTIAL classification decisions made during the reporting period.	21.	987
22. Total number of derivative classification decisions. (Sum of blocks 19, 20, & 21)	22.	2,433

PART E: Mandatory Declassification Review Requests and Appeals

A "Request" is an individual initial review request or appeal, regardless of the number of documents or pages to be reviewed as part of the request.
Report only requests for your agency in which your agency is responsible for the final decision.

23. Enter the number of requests received during the reporting period.	23.	0
24. Enter the number of requests closed during the reporting period.	24.	0
25. Enter the number of requests that have been unresolved for over one year.	25.	0
26. Enter the average number of days to resolve each request.	26.	0
27. Enter the number of appeals received during the reporting period.	27.	0
28. Enter the number of appeals closed during the reporting period.	28.	0
29. Enter the number of appeals that have been unresolved for over one year.	29.	0
30. Enter the average number of days to resolve each appeal.	30.	0
PART F: Mandatory Declassification Review Decisions in Pages		
33. Enter the number of requested pages that were declassified in full.	33.	0
34. Enter the number of requested pages that were declassified in part.	34.	0
35. Enter the number of requested pages that were denied declassification.	35.	0
36. Total number of requested pages acted on. (Sum of blocks 33, 34, & 35)	36.	0
37. Enter the number of appealed pages that were declassified in full.	37.	0
38. Enter the number of appealed pages that were declassified in part.	38.	0
39. Enter the number of appealed pages that were denied declassification.	39.	0
40. Total number of appealed pages acted on. (Sum of blocks 37, 38, & 39)	40.	0
PART G: Automatic, Systematic, and Discretionary Declassification Reviews		
41. Enter the number of pages reviewed that were subject to automatic declassification under section 3.3 of E.O. 13526.	41.	0
42. Enter the number of pages declassified under automatic declassification .	42.	0
43. Enter the number of pages reviewed that were subject to systematic declassification under section 3.4 of E.O. 13526.	43.	0
44. Enter the number of pages declassified under systematic declassification .	44.	0
45. Enter the number of pages reviewed that were subject to discretionary declassification under section 3.1 of E.O. 13526.	45.	0
46. Enter the number of pages declassified under discretionary declassification .	46.	0
PART H: Internal Agency Oversight		
47. Enter the number of self-inspections conducted by your agency, covering any aspect of the security classification program, during the reporting period.	47.	3
48. Enter the number of challenges processed by your agency to the classification of information believed to be improperly classified or unclassified . (E.O. 13526, section 1.8)	48.	0
49. Enter the number of challenges where the classification status was fully affirmed .	49.	0
50. Enter the number of challenges where the classification status was overturned in whole or in part .	50.	0
51. Enter the number of security classification guides created by your agency and currently in use .	51.	11

PART I: Explanatory Comments

Use this space to elaborate on any section of this form. If more space is needed, provide as an attachment to this form. Provide explanations for any significant changes in trends/numbers from the previous year's report.

Part B: Two of the four positions delegated Secret original classification authority are occupied by individuals on a temporary basis. Individuals temporarily acting in a position are not delegated original classification authority. At which time individuals are selected to permanently occupy these positions, then these individuals will be delegated Secret original classification authority from Chairman Macfarlane.

Part D: The increase in derivative classification decisions from FY2013 to FY2014 can be attributed to more accurate estimates of derivative classification decisions made on classified e-mail content. In prior years, the U.S. NRC did not account for an accurate estimate of derivative classification decisions associated with e-mail.

Part G: Declassification reviews were not conducted in FY2014 due to resource constraints. Declassification reviews will be conducted in FY2015, pending the availability of resources.

(b)(7)(E)

For ISOO Use Only

ISOO Analyst Name: _____

Date of QC: _____

Analyst Initials: _____

AGENCY SECURITY CLASSIFICATION MANAGEMENT PROGRAM DATA

(Submissions must be unclassified and reach the Information Security Oversight Office (ISOO) no later than November 15 following the reporting period.)

PART A: Identifying Information		
1. Enter the Fiscal Year that this report covers.	1.	2015
2. Identify the Department, Independent agency, or Establishment that is covered by this report.	2.	United States Nuclear Regulatory Commission
3. Enter the name and title of the Senior Agency Official (as defined in E.O. 13526, section 5.4(d)) responsible for this report.	3.	Michael R. Johnson (See explanatory comments)
4. Enter the name, title, phone, and email address for the point-of-contact responsible for answering questions about this report.	4.	Darryl H. Parsons (See explanatory comments)
PART B: Officials with Original Classification Authority		
5. Enter the number of agency officials whose highest level of original classification authority is TOP SECRET.	5.	7
6. Enter the number of agency officials whose highest level of original classification authority is SECRET.	6.	4
7. Enter the number of agency officials whose highest level of original classification authority is CONFIDENTIAL.	7.	0
8. Total number of officials with original classification authority. (Sum of blocks 5, 6, & 7)	8.	11
PART C: Original Classification Decisions		
Original classification is an initial determination that the information to be classified has not been previously classified by any other authority. It also meets the following conditions: (1) it was classified by an original classification authority; (2) the information is owned by or for, or is under the control of the United States Government; (3) it falls into at least one of the categories from section 1.4 of E.O. 13526; and (4) unauthorized disclosure could reasonably be expected to result in damage to the national security. (Provide information on all original classification decisions, regardless of the media, including those documented and disseminated via email. Do not count reproductions or copies.)		
9. Enter the number of original TOP SECRET classification decisions made during the reporting period with declassification instructions of 10 years or less.	9.	0
10. Enter the number of original TOP SECRET classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	10.	0
11. Total number of TOP SECRET original classification decisions. (Sum of blocks 9 & 10).	11.	0
12. Enter the number of original SECRET classification decisions made during the reporting period with declassification instructions of 10 years or less.	12.	0
13. Enter the number of original SECRET classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	13.	0
14. Total number of SECRET original classification decisions. (Sum of blocks 12 & 13)	14.	0
15. Enter the number of original CONFIDENTIAL classification decisions made during the reporting period with declassification instructions of 10 years or less.	15.	0
16. Enter the number of original CONFIDENTIAL classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	16.	0
17. Total number of CONFIDENTIAL original classification decisions. (Sum of blocks 15 & 16)	17.	0
18. Total number of original classification decisions. (Sum of blocks 11, 14, & 17)	18.	0
PART D: Derivative Classification Decisions		
Derivative classification is the incorporating, paraphrasing, restating, or generating in new form information that is already classified. This includes classification based on classification guides or other source documents. (Provide information on all classification decisions, regardless of the media, including those documented and disseminated via email. Do not count reproductions or copies.)		
19. Enter the number of derivative TOP SECRET classification decisions made during the reporting period.	19.	2,232
20. Enter the number of derivative SECRET classification decisions made during the reporting period.	20.	2,537
21. Enter the number of derivative CONFIDENTIAL classification decisions made during the reporting period.	21.	710
22. Total number of derivative classification decisions. (Sum of blocks 19, 20, & 21)	22.	5,479

PART E: Mandatory Declassification Review Requests and Appeals

A "Request" is an individual initial review request or appeal, regardless of the number of documents or pages to be reviewed as part of the request.

Report only requests for your agency in which your agency is responsible for the final decision.

23. Enter the number of requests received during the reporting period.	23. 0
24. Enter the number of requests closed during the reporting period.	24. 1
25. Enter the number of requests that have been unresolved for over one year.	25. 15
26. Enter the average number of days to resolve each request.	26. 180
27. Enter the number of appeals received during the reporting period.	27. 0
28. Enter the number of appeals closed during the reporting period.	28. 0
29. Enter the number of appeals that have been unresolved for over one year.	29. 0
30. Enter the average number of days to resolve each appeal.	30. 0

31. Enter the number of referred requests received during the reporting period.	31. 0
32. Enter the number of referred appeals received during the reporting period.	32. 0

PART F: Mandatory Declassification Review Decisions in Pages

33. Enter the number of requested pages that were declassified in full.	33. 4
34. Enter the number of requested pages that were declassified in part.	34. 11
35. Enter the number of requested pages that were denied declassification.	35. 0
36. Total number of requested pages acted on. (Sum of blocks 33, 34, & 35)	36. 15
37. Enter the number of appealed pages that were declassified in full.	37. 0
38. Enter the number of appealed pages that were declassified in part.	38. 0
39. Enter the number of appealed pages that were denied declassification.	39. 0
40. Total number of appealed pages acted on. (Sum of blocks 37, 38, & 39)	40. 0

PART G: Automatic, Systematic, and Discretionary Declassification Reviews

41. Enter the number of pages reviewed that were subject to automatic declassification under section 3.3 of E.O. 13526.	41. 0
42. Enter the number of pages declassified under automatic declassification.	42. 0
43. Enter the number of pages reviewed that were subject to systematic declassification under section 3.4 of E.O. 13526.	43. 0
44. Enter the number of pages declassified under systematic declassification.	44. 0
45. Enter the number of pages reviewed that were subject to discretionary declassification under section 3.1 of E.O. 13526.	45. 1,173
46. Enter the number of pages declassified under discretionary declassification.	46. 1,173

PART H: Internal Agency Oversight

47. Enter the number of challenges processed by your agency to the classification of information believed to be improperly classified or unclassified. (E.O. 13526, section 1.8)	47. 0
48. Enter the number of challenges where the classification status was fully affirmed.	48. 0
49. Enter the number of challenges where the classification status was overturned in whole or in part.	49. 0

PART I: Explanatory Comments

Use this space to elaborate on any section of this form. If more space is needed, provide as an attachment to this form. Provide explanations for any significant changes in trends/numbers from the previous year's report.

Part A, Item 3:

Michael R. Johnson, Deputy Executive Director for Reactor and Preparedness Programs
 United States Nuclear Regulatory Commission
 11555 Rockville Pike, Mail Stop OWFN 16-E15, Rockville, Maryland 20852
 Office: (301) 415-1713; Fax: (301) 415-2700.
 E-mail: Michael.Johnson@nrc.gov

Part A, Item 4:

Darryl H. Parsons, Chief, Information Security Branch, Division of Security Operations, Office of Nuclear Security and Incident Response
 11555 Rockville Pike, Mail Stop OWFN 02-D15, Rockville, Maryland 20852
 Office: (301) 415-7751; Fax: (301) 415-2190.
 E-mail: Darryl.Parsons@nrc.gov

Part B: All four NRC Commissioners are delegated Top Secret original classification authority from the Chairman. Currently, one of the Commissioner positions is vacant. At which time an individual is appointed to occupy this position, then that individual will be delegated Top Secret original classification authority from the Chairman.

Part D: The increase in derivative classification decisions from FY2014 to FY2015 can be attributed to more accurate estimates of derivative classification decisions made on classified e-mail content.

Part G: Comprehensive declassification reviews were not conducted in FY2015 due to resource constraints. Increased declassification reviews will be conducted in FY2016, pending the availability of resources.

For ISOO Use Only

ISOO Analyst Name: _____

Date of QC: _____

Analyst Initials: _____

PRINT

RESET

SAVE

AGENCY SECURITY CLASSIFICATION MANAGEMENT PROGRAM DATA

(Submissions must be unclassified and reach the Information Security Oversight Office (ISOO) no later than November 15 following the reporting period.)

PART A: Identifying Information		
1. Enter the Fiscal Year that this report covers:		1. 2016
2. Identify the Department, Independent agency, or Establishment that is covered by this report.	2. United States Nuclear Regulatory Commission	
3. Enter the name and title of the Senior Agency Official (as defined in E.O. 13526, section 5.4(d)) responsible for this report.	3. Michael R. Johnson, Deputy Executive Director for Reactor and Preparedness Programs	
4. Point-of-contact responsible for answering questions about this report:		
4a. Name:	4a. Darryl H. Parsons	
4b. Title:	4b. Chief, Information Security Branch, Division of Security Operations, Office of Nuclear Security and Incident Response	
4c. Email address:	4c. Darryl.Parsons@nrc.gov	
4d. Phone number:	4d. (301) 415-7751	
PART B: Officials with Original Classification Authority		
5. Enter the number of agency officials whose highest level of original classification authority is TOP SECRET.	5.	7
6. Enter the number of agency officials whose highest level of original classification authority is SECRET.	6.	4
7. Enter the number of agency officials whose highest level of original classification authority is CONFIDENTIAL.	7.	0
8. Total number of officials with original classification authority. (Sum of blocks 5, 6, and 7)	8.	11
PART C: Original Classification Decisions		
Original classification is an initial determination that the information to be classified has not been previously classified by any other authority. It also meets the following conditions: (1) it was classified by an original classification authority; (2) the information is owned by or for, or is under the control of the United States Government; (3) it falls into at least one of the categories from section 1.4 of E.O. 13526; and (4) unauthorized disclosure could reasonably be expected to result in damage to the national security. (Provide information on all original classification decisions, regardless of the media, including those documented and disseminated via email. Do not count reproductions or copies.)		
9. Enter the number of original TOP SECRET classification decisions made during the reporting period with declassification instructions of 10 years or less.	9.	0
10. Enter the number of original TOP SECRET classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	10.	0
11. Total number of TOP SECRET original classification decisions. (Sum of blocks 9 and 10)	11.	0
12. Enter the number of original SECRET classification decisions made during the reporting period with declassification instructions of 10 years or less.	12.	0
13. Enter the number of original SECRET classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	13.	8
14. Total number of SECRET original classification decisions. (Sum of blocks 12 and 13)	14.	8
15. Enter the number of original CONFIDENTIAL classification decisions made during the reporting period with declassification instructions of 10 years or less.	15.	0
16. Enter the number of original CONFIDENTIAL classification decisions made during the reporting period with declassification instructions ranging from over 10 years to 25 years.	16.	0
17. Total number of CONFIDENTIAL original classification decisions. (Sum of blocks 15 and 16)	17.	0
18. Total number of original classification decisions. (Sum of blocks 11, 14, and 17)	18.	8

PART D: Derivative Classification Decisions

Derivative classification is the incorporating, paraphrasing, restating, or generating in new form information that is already classified. This includes classification based on classification guides or other source documents. (Provide information on all classification decisions, regardless of the media, including those documented and disseminated via email. Do not count reproductions or copies.)

19. Enter the number of derivative TOP SECRET classification decisions made during the reporting period.	19.	1,120
20. Enter the number of derivative SECRET classification decisions made during the reporting period.	20.	4,791
21. Enter the number of derivative CONFIDENTIAL classification decisions made during the reporting period.	21.	1,333
22. Total number of derivative classification decisions. (Sum of blocks 19, 20, and 21)	22.	7,244

PART E: Mandatory Declassification Review Requests

A "Request" is an individual initial review request, regardless of the number of documents or pages to be reviewed as part of the request. Report only requests for your agency in which your agency is responsible for the final decision.

23. Enter the number of REQUESTS received during the reporting period.	23.	3
24. Enter the number of REQUESTS closed during the reporting period.	24.	1
25. Of the REQUESTS entered into block 24, enter the number of pages that were:	25.	
a. Declassified in full.	25a.	0
b. Declassified in part.	25b.	0
c. Denied declassification.	25c.	77
d. Total number of requested pages acted on. (Sum of blocks a, b, and c)	25d.	77
26. Enter the number of REQUESTS that have been unresolved for over one year.	26.	0
27. Enter the AVERAGE NUMBER OF DAYS to resolve each request.	27.	180
28. Enter the number of REFERRED REQUESTS received during the reporting period. (Number of requests referred to your agency from another agency)	28.	1

PART F: Mandatory Declassification Review Appeals

An "Appeal" is an individual request for appeal, regardless of the number of documents or pages to be reviewed as part of the request. Report only appeals for your agency in which your agency is responsible for the final decision.

29. Enter the number of APPEALS received during the reporting period.	29.	0
30. Enter the number of APPEALS closed during the reporting period.	30.	0
31. Of the APPEALS entered into block 30, enter the number of pages that were:	31.	
a. Declassified in full.	31a.	0
b. Declassified in part.	31b.	0
c. Denied declassification.	31c.	0
d. Total number of appealed pages acted on. (Sum of blocks a, b, and c)	31d.	0
32. Enter the number of APPEALS that have been unresolved for over one year.	32.	0
33. Enter the AVERAGE NUMBER OF DAYS to resolve each appeal.	33.	0
34. Enter the number of REFERRED APPEALS received during the reporting period. (Number of appeals referred to your agency from another agency)	34.	0

PART G: Automatic, Systematic, and Discretionary Declassification Reviews		
35. Enter the number of pages REVIEWED that were subject to automatic declassification under section 3.3 of E.O. 13526.	35.	520
36. Enter the number of pages DECLASSIFIED under automatic declassification .	36.	0
37. Enter the number of pages REVIEWED that were subject to systematic declassification under section 3.4 of E.O. 13526.	37.	740
38. Enter the number of pages DECLASSIFIED under systematic declassification .	38.	0
39. Enter the number of pages REVIEWED that were subject to discretionary declassification under section 3.1 of E.O. 13526.	39.	10
40. Enter the number of pages DECLASSIFIED under discretionary declassification .	40.	10
PART H: Internal Agency Oversight		
41. Enter the number of CHALLENGES processed by your agency to the classification of information believed to be improperly classified or unclassified . (E.O. 13526, section 1.8)	41.	0
42. Enter the number of CHALLENGES where the classification status was fully affirmed .	42.	0
43. Enter the number of CHALLENGES where the classification status was overturned in whole or in part .	43.	0
PART I: Intelligence Community (IC) Information		
This section applies only to IC agencies and IC components of other agencies who <i>originally apply</i> the ORCON and ORCON-USGOV dissemination control. This information, along with ISOO's annual inspection reports will be used to inform the annual report to the DNI on the use of classification markings.		
Organization's classified disseminated analytic product (as defined in ICD 206 Sourcing Requirements for Disseminated Analytic Product) originally marked ORCON.		
44. Enter PERCENTAGE of your organization's classified disseminated analytic products originally marked ORCON .	44.	0.00%
45. Enter TOTAL NUMBER of your organization's classified disseminated analytic products originally marked ORCON .	45.	
46. Enter the NUMBER OF REQUESTS approved for expanded dissemination of ORCON in full .	46.	
47. Enter the NUMBER OF REQUESTS approved for expanded dissemination of ORCON in part . Provide explanation for partial denial in part J below.	47.	
48. Enter the number of ORCON expanded dissemination requests DENIED . Provide explanation for denial in part J below.	48.	
Organization's classified disseminated analytic product (as defined in ICD 206 Sourcing Requirements for Disseminated Analytic Product) originally marked ORCON-USGOV.		
49. Enter PERCENTAGE of your organization's analytic products originally marked ORCON-USGOV .	49.	0.00%
50. Enter TOTAL NUMBER of your organization's analytic products originally marked ORCON-USGOV .	50.	
51. Provide TOTAL NUMBER of reports of potential misapplication of the ORCON marking. Provide background information on each occurrence in Part J below.	51.	
52. Has your organization been NEGATIVELY IMPACTED by information being marked with ORCON or ORCON-USGOV control marking? If yes, provide explanation in Part J below.	52.	N/A

PART J: Explanatory Comments

Use this space to elaborate on any section of this form. If more space is needed, provide as an attachment to this form. Provide explanations for any significant changes in trends/numbers from the previous year's report.

Part B: All four NRC Commissioners are delegated Top Secret original classification authority from the Chairman. Currently, two of the Commissioner positions are vacant. At which time individuals are appointed to occupy this position, then those individuals will be delegated Top Secret original classification authority from the Chairman.

Part C: The increase in original classification decisions from fiscal year (FY) 2015 to FY 2016 can be attributed to the issuance of new and revised classification guidance. Specifically, the following classification guides were issued in FY 2016:

- CG-NRC-CI-1, "Classification Guide for the United States Nuclear Regulatory Commission Counterintelligence Program"
- CG-NRC-ITP-1, "Classification and Designation Guide for the United States Nuclear Regulatory Commission Insider Threat Program"
- CG-NRC-TSCM-3, "Classification Guide for the United States Nuclear Regulatory Commission Technical Surveillance Countermeasures [TSCM] Program"
- CG-RDD-2, "Joint DOE/DHS/NRC Classification Guide for Radiological Dispersal Devices and Radiation Exposure Devices," which supersedes CG-RDD-1, "Joint DOE/DHS/NRC Classification Guide for Radiological Dispersal Devices and Radiation Exposure Devices"
- CG-UUSA-1, "NRC Classification Guide for Louisiana Energy Services doing business as URENCO USA Gas Centrifuge Safeguards & Security"
- CG-UUSA-1, Change 1 "NRC Classification Guide for Louisiana Energy Services doing business as URENCO USA Gas Centrifuge Safeguards & Security"
- CG-UUSA-1, Change 2 "NRC Classification Guide for Louisiana Energy Services doing business as URENCO USA Gas Centrifuge Safeguards & Security"
- CB-DBT-1, "Classification Guidance for the U.S. Nuclear Regulatory Commission Theft or Diversion Design Basis Threat for Category I Fuel Cycle Facilities"

Part D: The changes in derivative classification decisions from FY 2015 to FY 2016 can be attributed to more accurate estimates of derivative classification decisions made on classified e-mail content.