

1FINAL SUPPORTING STATEMENT FOR
NRC FORM 277
"REQUEST FOR VISIT"

(3150-0051)

EXTENSION

Description of the Information Collection

The information collection associated with the U.S. Nuclear Regulatory Commission (NRC) Form 277, "Request for Visit," affects any employee of 78 licensees and 7 NRC contractors¹ who: (1) hold an NRC access authorization, and (2) need to make a visit to the NRC, other contractors/licensees or government agencies in which access to classified information will be involved or unescorted area access is desired. The completed NRC Form 277 contains a signature certification of the NRC access authorization and of an official need-to-know. Only a minimal amount of other identifying or pertinent information (e.g., date of birth, clearance type, dates of visit) is requested by the form.

The use of NRC Form 277 affords some assurance that only properly cleared and authorized individuals, who require access as a part of their official duties, will have such access during visits to other facilities and agencies. Therefore, the use of the NRC Form 277 benefits the NRC security program and public at large.

A. JUSTIFICATION

1. Need For and Practical Utility of the Collection of Information

Section 4.2 of Executive Order (E.O.) 12958 states a person may have access to classified information provided that: (1) a favorable determination of eligibility for access has been made by an agency head or the agency head's designee; (2) the person has signed an approved nondisclosure agreement; and (3) the person has a need-to-know the information. Further, Section 4.3 requires agencies to establish controls over the distribution of classified information to assure that it is distributed only to organizations or individuals eligible for access who also have a need-to-know the information.

The use of the NRC Form 277, as cited in NRC Management Directive 12.3, "NRC Personnel Security Program" is applicable to contractors and licensees, is the method by which the NRC can provide assurance of compliance with the above provisions of E.O. 12958. The NRC Form 277 provides the facility/agency to be visited with verification of the visitor's NRC access authorization and certification of their official need-to-know for the classified information regarding the visit. By requiring the information collection contained on the NRC Form 277, the facility/agency can assure that only properly cleared and authorized individuals will be permitted access during a visit.

¹ The number of potential respondents (reactors and fuel facility licensees and contractors) was determined during the development of the annual Access Authorization final rule.

2. Agency Use of Information

The NRC Form 277 is forwarded by the contractor/licensee through the appropriate NRC office exercising oversight authority for certification of need-to-know to the NRC's Division of Facilities and Security (DFS). After clearance verification, DFS forwards the completed form to the security office having cognizance over the facility to be visited. The security office of the facility being visited uses the information collected to confirm identity of the visitor and to permit the visitor access to the requested classified information/area. Failure to use the NRC Form 277 by the contractor/licensee may result in denied access to classified information or areas which are necessary in the accomplishment of official duties.

3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages respondents to use information technology when it would be beneficial to them. NRC issued a regulation (68 FR 58791) on October 10, 2003, consistent with the Government Paperwork Elimination Act which allows its licensees, vendors, applicants, and members of the public the option to make submissions electronically via CD-ROM, e-mail, special Web-based interface, or other means. It is estimated that approximately 100 percent of the potential responses are filed electronically (i.e., e-mail or facsimile).

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements. NRC has in place an ongoing program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

5. Effort to Reduce Small Business Burden

No respondents are small business.

6. Consequences to Federal Program or Policy Activities if the Collection Is Not Conducted or Is Conducted Less Frequently

The frequency of information collection is dependent on the number of visits an individual makes to Government agencies or facilities. In most cases, a less frequent collection would mean eliminating the collection, as visits by contractors, for which the NRC Form 277 would be required, are infrequent. If the information is not collected, access by the visitor to classified information or areas, necessary in the accomplishment of official duties, may be denied.

Further, a reduction in the collection of the information required by the NRC Form 277 would reduce the assurance that only properly cleared and authorized individuals will be permitted access during a visit. Thus, less frequent collection may endanger the United States common defense and national security.

7. Circumstances Which Justify Variation from OMB Guidelines

There is no variation from OMB Guidelines in the collection of information.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register* on March 31, 2016 (81 FR 18650). NRC staff sought comments from representatives from the Department of Homeland Security, the Department of Energy, and Nuclear Fuel Services (a licensee). No external comments were received for this clearance.

In addition, three internal respondents were contacted by email. Comments were received from all three respondents.

1) Comment:

Amy Roundtree, Office of Administration suggests that on the Form 277 that Part B (Type of Clearance, Date of Clearance, Type of Investigation and Date of Investigation) say that it is completed by the Personnel Security Branch (PSB) or the appropriate security office. Not to be completed by the individual.

Response:

The Form 277 does not state that it should be completed by the individual. PSB will review the form and consider modifying Part B to make the instructions clearer to understand.

2) Comment:

Merrit Baker, Office of Nuclear Material Safety and Safeguards provided comments on the form, and suggested now that the form is submitted electronically to PSB, that a system generated auto reply message be created to notify the requestor that the form was received by PSB.

Response:

PSB will consider generating an auto reply message to the requestor once the form is electronically received by PSB.

3) Comment:

Douglas Hase, Office of Nuclear Security and Incident Response, suggests that the form instructions be made clearer as to who fills out the top blocks for requests and approvers. He also had concerns about the number of respondents the form affects, "affects any employee of 78 licensees and 7 NRC contractors." He states, "also could affect cleared contractors to licensees which would increase the number of potential users."

Response:

PSB will review the form and consider modifying the instructions to make them clearer to understand. PSB will also look into the number of potential respondents and make any necessary adjustments.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b).

Personal Information provided on the NRC Form 277 is handled and protected in accordance with NRC directives and provisions of the Privacy Act of 1974, as described in the Privacy Act Statement on the form. Information is maintained in a system of records designated as NRC-39 and described in the Federal Register in NRC's "Republication of Systems of Records Notices" on November 12, 2012 (77 FR 67204).

11. Justification for Sensitive Questions

NRC does request sensitive information on this form.

12. Estimated Burden and Burden Hour Cost

REPORTING

An estimated 10 minutes (based on staff experience) is required to complete each NRC Form 277. The NRC staff estimates that 60 responses will be received annually during the clearance period, resulting in a total annual burden to the public of 10 hours (60 responses X 10 minutes ÷ 60.)

The estimated annual cost is \$2,680 (10 hours X \$268 per hour.)

RECORDKEEPING

There are no recordkeeping requirements associated with this information collection.

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government associated with the NRC Form 277 is \$1,840 (\$470 clerical effort + \$1,370 professional effort). The cost was computed as follows:

COST:

Annual clerical effort

(60 forms x 10 minutes ÷ 60 = 10 hrs. X \$47/hr.) = \$470

Annual professional effort

(60 forms x 5 minutes ÷ 60 = 5 hrs. X \$268/hr.) = \$1,340.

This cost is fully recovered through fee assessment to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Change in Burden or Cost

There is no change in burden. However, the cost for professional effort has increased in accordance with Part 170 from \$227 to \$268 per hour.

16. Publication for Statistical Use

There is no application of statistics in the information collection related to NRC Form 277 and no publication of the information.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.