

September 15, 2000

The Honorable Fred Thompson, Chairman
Committee on Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is republishing all of its Privacy Act Systems of Records notices incorporating minor corrective and administrative changes and revoking three systems that are no longer needed. This republication also includes proposed revisions for public comment for two existing systems and the establishment of a new system.

NRC is proposing to revise NRC-26, "Administrative Services Files-NRC," being renamed NRC-26, "Full Share Program Records-NRC," to authorize the collection of social security numbers. This revision will allow the scanning of the employee photo-identification badge to record receipt of a metro check. The bar code on the identification badge, which is scanned, holds the employee's social security number. Employees, when badged, signed a Privacy Act Statement informing them that their badges may be used for tracking applications within the NRC for other than security access purposes.

NRC is also proposing to amend NRC-40, "Facility Security Access Control Records-NRC," to add digital image (picture) and badge number to the categories of records in the system. This information is maintained as part of the photo-identification badge information. Two new routine uses are also being proposed. One will permit the use of the identification badge for tracking applications within the NRC for other than security access purposes. This will involve the scanning of the bar code on the identification badge which holds the individual's social security number. This use of the identification was intended when the badge was originally designed. The second proposed routine use is being added to state that information in this system may be used to control access to NRC classified information and to NRC spaces by human or electronic means. This routine use was noticed in the Federal Register at 58 FR 36481, dated July 7, 1993. When the system notice was revised (60 FR 43821 dated August 23, 1995), this use was inadvertently omitted.

NRC is proposing to establish a new system entitled NRC-1, "Parking Permit Records-NRC," to maintain parking permit records previously (but erroneously) noticed under NRC-24, "Government Property Accountability System-NRC." This system documents issuance of parking permits for NRC-controlled parking spaces at the NRC Headquarters garage. Information in this system is maintained to record the amount paid and the revenue collected for parking, to determine the priority for issuance of permits, and to contact the permit holder in case of an emergency.

In accordance with the guidance in revised Office of Management and Budget (OMB) Circular No. A-130, copies of the proposed systems of records notice and the narrative statement are enclosed. Copies of these documents have also been sent to the Committee on Government Reform and Oversight of the U.S. House of Representatives and to the Administrator of the Office of Information and Regulatory Affairs, OMB, for a 40-day review and comment period.

If you have any questions about the proposed revisions or the new system of records, please contact Sandra S. Northern, Office of the Chief Information Officer, at 301-415-6879 or email ssn@nrc.gov.

Sincerely,

/RA/

Dennis K. Rathbun, Director
Office of Congressional Affairs

cc: Senator Joseph I. Lieberman

Enclosures:

1. System of Records Notice
2. Narrative Statement

In accordance with the guidance in revised Office of Management and Budget (OMB) Circular No. A-130, copies of the proposed system of records notice and the narrative statement are enclosed. Copies of these documents have also been sent to the Committee on Government Reform and Oversight of the U.S. House of Representatives and to the Administrator of the Office of Information and Regulatory Affairs, OMB, for a 40-day review and comment period.

If you have any questions about the proposed revisions or the new system of records, please contact Sandra S. Northern, Office of the Chief Information Officer, at 301-415-6879 or email ssn@nrc.gov.

Sincerely,

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosures:

1. System of Records Notice (ML003747714)
2. Narrative Statement

cc: Senator Joseph I. Lieberman

DISTRIBUTION: SSNorthern

ACCESSION NUMBER: ML003747756

DOCUMENT NAME: Transmits to U.S. Senate proposed systems of records notice and narrative statement.

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NARRATIVE STATEMENT

The Nuclear Regulatory Commission (NRC) conducted a comprehensive review of all Privacy Act systems of records. As a result of this review NRC is revising and republishing all its systems of records notices which include minor and administrative changes that do not meet the criteria for either a new or altered system of records with three exceptions. The NRC is proposing to revise two Privacy Act system of records notices, NRC-26, "Administrative Services Files-NRC," and NRC-40, "Facility Security Access Control Records-NRC;" and is proposing to establish a new Privacy Act system of records, NRC-1, "Parking Permit Records-NRC."

1. **Purpose**

NRC-26 is being revised to first change its system name from "Administrative Services Files-NRC," to "Full Share Program Records-NRC." This will clearly identify the types of information maintained in the system. The second revision will authorize the collection of the social security number. This will allow for the scanning of the photo identification badge to record the individuals receipt of a metro check. The bar code on the identification badge contains the individuals social security number. Individuals were informed that their identification badges may be used for tracking applications for other than security access purposes.

NRC-40 is being revised to correct an oversight. A digital image (picture) and badge number are being added to categories of records maintained in the system. These two records have always been maintained in the system, but never noticed. Two routine uses are also being added. One will permit the use of the photo identification badge (badge) for tracking applications for other than security access purposes. The bar code on the badge, which contains the individuals social security number, will be scanned to track applications, such as but not limited to, recording an individuals receipt of property or funds. This type of use was behind the original design of the badge. During the recent rebadging effort, individuals signed a Privacy Act statement informing, under principle purpose(s), that information may be used for tracking applications for other than security access purposes. The second routine use being added will state that the information in this system may be used to control access to NRC classified information and to NRC spaces by human or electronic means. This use was originally noticed with this system and inadvertently omitted during its last publication.

NRC is proposing to establish a new system of records entitled NRC-1, "Parking Permit Records-NRC," to maintain NRC parking permit records which are currently, but erroneously, noticed under NRC-24, "Government Property Accountability System-NRC." These records document the issuance of parking permits for NRC-controlled parking spaces in the headquarters garage.

2. **Authority**

NRC-26 26 U.S.C. 132; 31 U.S.C. 3511 (1996); 41 CFR 101-201.104-3(a) (1999); Executive Order 9397, November 22, 1943; Executive Order 13150, Federal Workforce Transportation; Qualified Transportation Fringe Benefits, 65 FR 4388, January 27, 2000; NRC Management Directive 3.53, Records Management.

NRC-40 42 U.S.C. 2165 (2000) and 2201 (i), (k) and (p) (1996); 5 CFR Part 2634; Executive Order 9397, November 22, 1943; Executive Order 12958, April 20, 1995.

NRC-1 31 U.S.C. 3511, 41 CFR 101-20.104, Parking Facilities; Management Directive 13.4, "Transportation Management," Part I, "White Flint North Parking Procedures".

3. Potential effects on privacy of individuals

NRC will use the information in the revised and proposed systems of records as discussed in the above Purpose and system notices. NRC does not anticipate any unwarranted adverse effects on the privacy of individuals due to the maintenance of these revised and new systems of records since information in the systems will not be used for any purpose not contained in the system notices.

4. Protection of the information

NRC-26 Records are maintained in buildings where access is controlled by a security guard force. Paper records and backup disks are maintained in locked file cabinets under visual control of the Administrative Services Center. Computer files are maintained on a hard drive, access to which is password protected. Access to and use of these records are limited to those persons whose official duties require access.

NRC-40 All records are maintained in NRC-controlled space that is secured after normal duty hours or in security areas under guard presence. Automated records are protected by password.

NRC-1 Records are maintained in buildings where access is controlled by a security guard force. Paper records and backup disks are maintained in locked file cabinets under visual control of the Administrative Services Center. Computer files are maintained on a hard drive, access to which is password protected. Access to and use of these records are limited to those persons whose official duties require access.

5. Compatibility with (a)(7) of the Privacy Act

The Privacy Act permits the disclosure of information about individuals contained in a system of records without their consent for a routine use where the information is compatible with the purpose for which the information was originally collected. The Office of Management

and Budget (OMB) has indicated that a "compatible" use is a use which is necessary and proper (OMB Guidelines, 51 FR 18982, 18985 (1986)).

NRC-40 NRC considers both proposed routine uses necessary and proper uses and therefore "compatible" uses under the Privacy Act. Current Privacy Act statements signed by individuals when issued identification badges already include both uses as principle purposes for collecting the information.

NRC-1 NRC considers disclosures that are necessary and proper or that allow a needed activity to take place to be disclosures for compatible purposes. To record amount paid and revenue collected, contacting permit holders in case of an emergency, and determining priority for issuance of permits are considered needed activities that will occur in the maintenance and operation of parking permit records. The general routine uses allowed permit disclosures for law enforcement purposes, for use in the course of discovery and in presenting evidence, to a Congressional office at the request of constituents; and to NRC-paid experts, consultants, and others under contract with the NRC on a "need-to-know" basis.

6. OMB control numbers

None.