

May 30, 2001

The Honorable Donald R. Arbuckle  
Deputy Administrator  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Arbuckle:

I am responding to your memorandum of May 4, 2001, which forwarded the General Accounting Office (GAO) assessment of Federal agencies' compliance with the Congressional Review Act (CRA) notification requirement to send rules to Congress and GAO. GAO identified one NRC regulation that had not been forwarded to them or Congress. That final rule, "Revision of References to Section 202 of the Energy Reorganization Act," was published in the *Federal Register* on September 12, 2000 (65 FR 54948), and made several amendments to the Code of Federal Regulations (CFR).

The amendments to Parts 1 and 51 concerned matters of agency organization, procedure, or practice that did not substantially affect the rights or obligations of non-agency parties and, therefore, are exempt from Congressional notification under 5 U.S.C. 804 (1)(C). The amendment to Part 19 corrects a typographical error contained in the Code of Federal Regulations. The remaining amendments correct a reference to a statutory provision so that the reference is presented consistently throughout 10 CFR Chapter I.

The essence of these amendments constituted corrections to the CFR that, in our opinion, were administrative corrections and did not constitute a final rule that would be captured by the CRA.

We will continue to assess our final actions carefully to ensure that we are in full compliance with the provisions of the CRA.

Sincerely,

***/RA by Carl J. Paperiello Acting For/***

William D. Travers  
Executive Director for Operations

The Honorable Donald R. Arbuckle  
 Deputy Administrator  
 Office of Information and Regulatory Affairs  
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