

July 1, 2003

Mr. Mark Forman
Administrator, E-Government and Information Technology
Executive Office of the President
Office of Management and Budget
Washington, DC 20503

Dear Mr. Forman:

Well before the passage of the Government Paperwork Elimination Act (GPEA), the NRC had taken steps to increase the use of electronic communication with its licensees, stakeholders, and the public. Many of the agency's regulations permit storage of records in electronic format. The agency maintains its own electronic document management system (ADAMS) with collections that are accessible to the public from the NRC website: www.nrc.gov. The agency also provides electronic copies of certain documents through its Public Document Rooms and the Electronic Reading Room on web site <http://www.nrc.gov/reading-rm.html>.

After GPEA became law, the NRC accelerated its plans to allow electronic submission of documents which required digital signatures and document integrity authentication. The NRC held public meetings with licensees, vendors, and others to describe and demonstrate its new Electronic Information Exchange (EIE) capabilities. A pilot program was successfully completed and the agency approved and published guidance to permit the use of EIE technology for submission and transmission of certain licensee documents.

To further permit the use of the electronic submission of documents, the Nuclear Regulatory Commission (NRC) is amending its rules to clarify when and how licensees and other members of the public may use electronic means such as CD-ROM and e-mail to communicate with the agency.

The proposed rule and guidance for electronic submissions to the NRC was published in the *Federal Register* on September 6, 2002, (67 FR 57083). The agency published the Commission-approved rule text as a "direct final rule." The principal aim of the rule change was to remove impediments to electronic submissions as required by the Government Paperwork Elimination Act (GPEA) as quickly as possible.

The agency asked for comment on the rule text, with the express intent of withdrawing the direct final rule if the agency received "significant adverse comments". The agency did receive a few such comments, most of which were not on the rule itself, but on the details of the draft guidance. Consequently, on December 4, 2002, the agency withdrew the direct final rule and promised to consider the comments and publish a final rule later (67 FR 72091).

M. Forman

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The agency has subsequently developed a modified final rule in response to these comments which is in review within the agency at this time. We plan to approve the final rule before the October 21, 2003, deadline for GPEA compliance.

Sincerely,

/RA/

Ellis W. Merschhoff
Chief Information Officer

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Sincerely,

/RA/

Ellis W. Merschoff
Chief Information Officer

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