Procedures for Processing Fingerprint Checks

For the purpose of complying with this Order, licensees should:

1. Submit one completed, legible standard fingerprint card (Form FD-258, ORIMDNRCOOOZ) for each individual seeking unescorted access to certain radioactive material to the Director, Division of Facilities and Security.

2. **Include a cover letter with the name and address of the NRC-approved Reviewing Official to whom the criminal history records should be returned.**

3. Mail applications to the following address (overnight mail is preferred):

   Director, Division of Facilities and Security
   U.S. Nuclear Regulatory Commission
   11545 Rockville Pike
   Rockville, MD 20852-2738
   ATTN: Criminal History Program, Mail Stop T-03B46M

4. Fingerprints for unescorted access need not be taken if an employed individual (e.g., a licensee employee, contractor, manufacturer, or supplier) is relieved from the fingerprinting requirement by 10 CFR § 73.61, or any person who has been favorably-decided by a U.S. Government program involving fingerprinting and an FBI identification and criminal history records check (e.g., National Agency Check, Transportation Worker Identification Credentials in accordance with 49 CFR Part 1572, Bureau of Alcohol Tobacco Firearms and Explosives background checks and clearances in accordance with 27 CFR Part 555, Health and Human Services security risk assessments for possession and use of select agents and toxins in accordance with 42 CFR Part 73, Hazardous Material security threat assessment for hazardous material endorsement to commercial drivers license in accordance with 49 CFR Part 1572, Customs and Border Protection's Free and Secure Trade Program[1]) within the last five (5) years, or any person who has an active Federal security clearance (provided in the latter two cases that they make available the appropriate documentation[2]). Written confirmation from the Agency/employer which granted the Federal security clearance or reviewed the FBI criminal history records results based upon a fingerprint identification check must be provided. The licensee must retain this documentation for a period of three (3) years from the date the individual no longer requires unescorted access to certain radioactive material associated with the licensee's activities.

Additional copies of Form FD-258 may be obtained by writing the Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by calling

[1] The FAST program is a cooperative effort between the Bureau of Customs and Border Protection and the governments of Canada and Mexico to coordinate processes for the clearance of commercial shipments at the U.S. - Canada and U.S. - Mexico borders. Participants in the FAST program, which requires successful completion of a background records check, may receive expedited entrance privileges at the northern and southern borders.

[2] This documentation must allow the Reviewing Official to verify that the individual has fulfilled the unescorted access requirements of Section 149 of the AEA by submitting to fingerprinting and an FBI identification and criminal history records check.

(301) 415-7513, or by e-mail to forms@nrc.gov. The licensee should establish procedures to ensure that the quality of the fingerprints taken results in minimizing the rejection rate of fingerprint cards due to illegible or incomplete cards.

Licensees must have their fingerprints taken by an official authorized to take fingerprints, such as a representative from a local law enforcement agency or a private entity qualified to take fingerprints, because the official must certify the identity of the person being fingerprinted.

The NRC will review submitted fingerprint cards for completeness. Any Form FD-258 fingerprint record containing omissions or evident errors will be returned to the licensee for corrections. The fee for processing fingerprint checks includes one re-submission if the initial submission is returned by the FBI because the fingerprint impressions cannot be classified (e.g., due to poor quality, incomplete impressions, or other errors in the taking of the fingerprints). The licensee will not be charged for the one re-submission if the licensee provides the FBI Transaction Control Number (TCN) or a copy of the FBI response indicating the fingerprints could not be classified. If additional re-submissions are necessary, they will be treated as initial submittals and will require an additional payment of the processing fee.

Fees for processing fingerprint checks are due upon application (Note: local law enforcement agencies or contractors taking the fingerprints may charge an additional fee for this service). Licensees should submit payments electronically via http://www.pay.gov. Payments through Pay.gov can be made directly from the licensee's credit/debit card. Licensees will need to establish a password and user ID before they can access Pay.gov. To establish an account, licensees should send a request for an account to paygo@nrc.gov. The request must include the licensee's name, address, point of contact, e-mail address, and contact phone number. The NRC will forward each request to Pay.gov and Pay.gov will contact the licensee with all of the necessary account information. Licensees without a credit or debit card that can be linked to Pay.gov can pay the fees by check, cashier check or money order made out to the U.S. Nuclear Regulatory Commission and submitted with the fingerprint cards.

The payment of the fees for processing fingerprints must be made before or with the submission of applications to the NRC. Combined payment for multiple applications is acceptable. Licensees should include the Pay.gov payment receipt(s), or a check, cashier check, or money order for the fee(s) along with the application(s). For additional guidance on making electronic payments, contact the Facilities Security Branch, Division of Facilities and Security, at (301) 415-7513. The application fee (currently $26) is the sum of the user fee charged by the FBI for each fingerprint card or other fingerprint record submitted by the NRC on behalf of a licensee, and an NRC processing fee, which covers administrative costs associated with NRC handling of licensee fingerprint applications. The Commission will directly notify licensees subject to this requirement of any fee changes.

It is necessary for a licensee to resubmit fingerprints only under two conditions:

1. The FBI has determined that the fingerprints cannot be classified due to poor quality in the mechanics of taking the initial impressions; or,

2. The initial submission has been lost.

If the FBI advises the fingerprints are unclassifiable based on conditions other than poor quality, the licensee may submit a request to NRC for alternatives. The Commission will receive and forward to the submitting licensee all data from the FBI as a result of the licensee's application(s) for criminal history records checks, including the FBI fingerprint record(s). When the results are received from the FBI, no further fingerprint-related search is necessary.