

DRAFT SUPPORTING STATEMENT FOR
NRC FORM 850A, "REQUEST FOR NRC CONTRACTOR BUILDING ACCESS
AUTHORIZATION"
NRC FORM 850B, "REQUEST FOR NRC CONTRACTOR INFORMATION TECHNOLOGY
ACCESS AUTHORIZATION"
NRC FORM 850C, "REQUEST FOR NRC CONTRACTOR SECURITY CLEARANCE"

(3150-0218)

Description of the Information Collection

Title 10, *Code of Federal Regulations*, Part 10, "Criteria and Procedures for Determining Eligibility for Access to Restricted Data or National Security Information or an Employment Clearance," establishes requirements that individuals requiring an access authorization and/or employment clearance must have an investigation of their background. U.S. Nuclear Regulatory Commission (NRC) Management Directive 12.3, "Personnel Security Program" establishes requirements that NRC contractors, subcontractors and other non-NRC individuals requiring access to NRC Information Technology (IT) systems, sensitive information, sensitive unclassified information, classified information or access to NRC buildings shall require a background investigation. The NRC Contracting Officer's Representative (COR) determines which form an individual will submit.

- NRC Form 850A, "Request for NRC Contractor Building Access Authorization," will be used to obtain information on individuals needing access to NRC buildings in order to perform their contracted work.
- NRC Form 850B, "Request for NRC Contractor Information Technology Access Authorization," will be used to obtain information on individuals needing access to NRC information technology resources in order to perform their contracted work.
- NRC Form 850C, "Request for NRC Contractor Security Clearance," will be used to obtain information on individuals needing access to sensitive, sensitive unclassified, or classified information in order to perform their contracted work.

A. JUSTIFICATION

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

A completed NRC Form 850A, 850B or 850C is required to obtain an NRC access authorization or clearance for personnel of NRC contractors, subcontractors, or other individuals who are not applicants for employment with NRC. The name and signature of the authorizing COR must appear on the form. The information on the form will be reviewed by NRC Division of Facilities and Security (DFS) personnel.

In addition to the contracting officer name and signature mentioned above, the form contains the applicant's name, social security number, date of birth, place of birth (city, state, and country if not the United States), telephone number, email address and the level of access authorization/clearance requested, and other appropriate remarks (e.g., previous clearance history). A personnel security packet received without one of these forms or without the authorizing official's signature will result in no action being taken on the access authorization/clearance request. This information collection is needed to

afford the NRC a greater degree of control over who is granted access to NRC IT systems, sensitive information, sensitive unclassified information, and classified information or NRC buildings.

2. Agency Use of Information

The NRC will use the information on these forms to determine whether a contractor is eligible for access to IT systems, NRC buildings, sensitive information, sensitive unclassified information, or classified information. The forms are completed by the NRC COR with input from the contractor, and then forwarded to DFS for administrative review and processing for access authorization/clearance. If the individual for whom access/clearance is being sought currently has an active access authorization/clearance with another Federal agency, DFS may request certification of this access authorization/clearance from the agency concerned. Upon receipt of this certification, DFS will reply to the requester indicating that the requested access authorization/clearance has been granted. This process normally can be completed within 30 days. If the individual for whom access is being sought does not have an active access authorization/clearance with another Federal agency, DFS will take action to obtain the type of investigation necessary to support the level of access sought.

Upon favorable review of the completed investigation, DFS will notify the requester of the access authorization/clearance approval. If after review of the investigation, DFS determines that there is a question of the individual's eligibility for NRC access authorization/clearance, the "due process" provisions of 10 CFR Part 10 may be invoked.

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 on October 10, 2003 (68 FR 58791), 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. Because these forms require a signature by the NRC COR, there is currently no electronic means for submission. It is estimated that approximately none (0%) of the potential responses will be filed electronically.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements.

Some of the forms in the 850 series require the same information. For example, the applicant's name and their identifiers are required on all forms. This is necessary because, depending upon the security clearance or access required, an individual will only complete one of the three forms.

5. Effort to Reduce Small Business Burden

The information collected on the NRC Form 850 series of forms is the minimum necessary for the NRC to conduct background checks to ensure the security of its buildings and resources. Burden on small businesses cannot be further reduced without endangering the United States common defense and national security. NRC staff estimates that 46% of the responses will come from small business.

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

This collection of information is only required when one applies for access authorization/clearance. In most cases, this is a one-time event and less frequent collection would mean eliminating the collection altogether. Although contractors are required to undergo a reinvestigation after 5 years, the forms will not be required for reinvestigations.

If the information is not collected, the assurance that only individuals who are properly authorized to have access to NRC IT systems, sensitive information, sensitive unclassified information, classified information or access to NRC buildings would be reduced. Thus, less frequent collection may endanger the U.S. common defense and national security.

7. Circumstances Which Justify Variation from OMB Guidelines

Not applicable.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package has been published in the Federal Register.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC Regulations 10 CFR 9.17(a) and 10 CFR 2.390(b). The information is used for determining eligibility for a security clearance or access authorization. The information is protected from public disclosure under the Privacy Act of 1974 and is handled in accordance with routine uses specified in the Privacy Act Statement contained on the form.

11. Justification for Sensitive Questions

Not applicable.

12. Estimated Burden and Burden Hour Cost

An estimated **10 minutes**, or 0.17 hours, (based on staff experience) is required to complete each NRC form in the 850 series, resulting in a total annual burden to the public of 85 hours. The estimated annual cost shared among the contractors is \$22,525 (85 hrs. X \$265 per hour for professional effort).

Form	Burden per Response	Number of Responses	Total Burden	Cost at \$265/hr
NRC Form 850A	0.17	100	17	\$4,505
NRC Form 850B	0.17	300	51	\$13,515
NRC Form 850C	0.17	100	17	\$4,505
Total	--	500	85	\$22,525

13. Estimate of Other Additional Costs

Not applicable.

14. Estimated Annualized Cost to the Federal Government

NRC staff estimates that it will receive approximately 500 forms in the NRC Form 850 series annually. Each form requires 10 minutes of clerical effort at a rate of \$47/hr. resulting in a cost of \$3,995 (0.17 hrs. x 500 x \$47/hr. = \$3,995), and 5 minutes of professional effort at a rate of \$265/hr. resulting in a cost of \$10,600 (0.08 hrs. x 500 x \$265/hr.). The total annual cost to NRC is estimated to be \$14,595 (\$3,995 + \$10,600).

15. Reasons for Change in Burden or Cost

There is no change in burden for this clearance. However, the professional cost per hour decreased from \$274 per hour to \$265 per hour.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.