

NARRATIVE STATEMENT

Pursuant to the Privacy Act of 1974 and Office of Management and Budget (OMB) Circular No. A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act," dated December 23, 2016, the U.S. Nuclear Regulatory Commission (NRC) hereby gives notice that the agency proposes to modify 28 of its system of records notices as required by OMB Memorandum M-17-12, "Preparing for and Responding to a Breach of Personally Identifiable Information," dated January 3, 2017. The modifications include adopting a new routine use and revising an existing routine use to authorize the NRC to disclose information when reasonably necessary to respond to a suspected or confirmed breach of an NRC system of records or, as appropriate, to assist another agency in its own response to a suspected or confirmed breach. The NRC is also proposing revisions to remove the Prefatory Statement of General Routine Uses and instead include all routine uses that apply to a system of records directly in each notice. This change will eliminate the need for readers of particular system notices to refer back to the Prefatory Statement for the full text of some of the routine uses applicable to the system. The NRC is also proposing to remove, from one system notice, a routine use that addresses disclosures in response to general requests for information from the Congress. That routine use has been identified as redundant and unnecessary, because (1) the Privacy Act already expressly permits disclosures of Privacy Act records to either House of Congress or to Congressional committees and subcommittees with jurisdiction, and (2) the system notice also includes another routine use permitting disclosures to a Member of Congress inquiring on behalf of the individual. In addition, as a result of the NRC's review of its systems of records, the agency proposes to rescind nine systems of records that contain only records that are covered by an existing government-wide system of records notice or no longer contain records that qualify as a Privacy Act system of records. With the proposed rescindment of system notices, the NRC will maintain 28 NRC-specific systems of records. The NRC also proposes to narrow the scope of one system of records, and rename it to reflect the narrowed scope, because most, though not all, of the records the notice currently covers are also covered by a government-wide system of records notice. As a result of these proposed changes, the NRC is republishing all of its systems of records notices.

1. Purpose

Adding a new routine use and revising an existing routine use to authorize the NRC to disclose information when reasonably necessary to respond to a suspected or confirmed breach of an NRC system of records or, as appropriate, to assist another agency in its own response to a suspected or confirmed breach.

Rescinding nine systems of records that are no longer in use or contain only records that are no longer retrieved by the individual's name or other personal identifier.

Revising one system that is a partial duplicate of OPM/GOVT-1 General Personal Records, and renaming it to describe only the records that would now be contained in the system, revising another system to remove an unnecessary routine use, and revising all non-rescinded NRC system notices to include the full text of each routine use applicable to the system, including those previously described in a Prefatory Statement of General Routine Uses.

With the proposed rescindment of systems, the NRC will maintain 28 systems of records.

2. Authority

This action is proposed under OMB Memorandum M-17-12 and the Freedom of Information Act (5 U.S.C. 552), pursuant to the Privacy Act of 1974 and OMB Circular No. A-108.

3. Potential Effects on the Privacy of Individuals

The NRC will use and disclose the information in the revised systems of records as discussed in Section 1 and in system notices. Given the steps taken to protect the records in the systems and the limitations on the disclosure of the records, the NRC does not anticipate any unwarranted adverse effects on the privacy of individuals as a result of the maintenance of these revised systems of records.

4. Protection of the Information

The NRC will protect the information about individuals contained in a system of records as stated in each system of records notice.

5. Compatibility with Section (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 when the disclosure is compatible with the purpose for which the information was collected. OMB has indicated that a “compatible” use is a use that is necessary and proper (OMB Circular No. A-108 at 11-12).

All Systems of Records – The NRC considers the disclosure of information to respond to a suspected or confirmed breach of an NRC system of records or to assist another agency in its own response to a suspected or confirmed breach to be a disclosure for a compatible purpose when the disclosure is deemed reasonably necessary for supporting the response to the suspected or confirmed breach.

6. Office of Management and Budget Control Numbers

None.