

Request for OMB Review

DESIGNATED OFFICIAL

Paul Smith

Important

Read instructions before completing form. Do not use the same SF 83 to request both an Executive Order 12291 review and approval under the Paperwork Reduction Act.

Answer all questions in Part I. If this request is for review under E.O. 12291, complete Part II and sign the regulatory certification. If this request is for approval under the Paperwork Reduction Act and 5 CFR 1320, skip Part II, complete Part III and sign the paperwork certification.

Send three copies of this form, the material to be reviewed, and for paperwork—three copies of the supporting statement, to:

Office of Information and Regulatory Affairs
Office of Management and Budget
Attention: Docket Library, Room 3201
Washington, DC 20503

PART I.—Complete This Part for All Requests.

1. Department/agency and Bureau/office originating request U. S. Nuclear Regulatory Commission		2. Agency code 3 1 5 0
3. Name of person who can best answer questions regarding this request Duane G. Kidd		Telephone number (301) 492-4124
4. Title of information collection or rulemaking NRC Form 354, "Data Report on Spouse"		
5. Legal authority for information collection or rule (cite United States Code, Public Law, or Executive Order) 42 USC 201(o) or Executive Orders 10450, 10865, and 12356		

6. Affected public (check all that apply)		
1 <input checked="" type="checkbox"/> Individual or households	3 <input type="checkbox"/> Farms	5 <input checked="" type="checkbox"/> Federal agencies or employees
2 <input type="checkbox"/> State or local governments	4 <input type="checkbox"/> Businesses or other for-profit	6 <input type="checkbox"/> Non-profit institutions
		7 <input type="checkbox"/> Small businesses or organizations

PART II.—Complete This Part Only if the Request is for OMB Review Under Executive Order 12291

7. Regulation Identifier Number (RIN) _____, or None assigned

8. Type of submission (check one in each category)		Type of review requested
Classification	Stage of development	
1 <input type="checkbox"/> Major	1 <input type="checkbox"/> Proposed or draft	1 <input type="checkbox"/> Standard
2 <input type="checkbox"/> Nonmajor	2 <input type="checkbox"/> Final or interim final, with prior proposal	2 <input type="checkbox"/> Pending
	3 <input type="checkbox"/> Final or interim final, without prior proposal	3 <input type="checkbox"/> Emergency
		4 <input type="checkbox"/> Statutory or judicial deadline

9. CFR section affected _____ CFR

10. Does this regulation contain reporting or recordkeeping requirements that require OMB approval under the Paperwork Reduction Act and 5 CFR 1320? Yes No

11. If a major rule, is there a regulatory impact analysis attached? Yes No
If "No," did OMB waive the analysis? Yes No

Certification for Regulatory Submissions

In submitting this request for OMB review, the authorized regulatory contact and the program official certify that the requirements of E.O. 12291 and any applicable policy directives have been complied with.

Signature of program official	Date
Signature of authorized regulatory contact	Date

12. (OMB use only)

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OMB SUPPORTING STATEMENT FOR
NRC FORM 354
"DATA REPORT ON SPOUSE"

Description of Information Collection. This reporting requirement affects approximately 88 individuals annually. The respondents are NRC contractors, NRC licensee applicants, and NRC employment applicants who are married to non-U.S. citizens and are applying for NRC access authorization or employment clearance. The form must also be completed by respondents who marry after completing the Personnel Security Forms, or after having been granted an NRC access authorization or employment clearance.

A. Justification

1. Need for the Collection of Information. Section 145 of the Atomic Energy Act (AEA) of 1954, as amended, requires, before an individual can be granted access to Restricted Data (RD), an investigation and report on the individual's character, associations and loyalty and a determination that permitting such a person access to RD will not endanger the common defense and security.

The basic security standard of Executive Order 10450, "Security Requirements for Government Employment," for employment, or retention of an individual in a sensitive position, is that such employment or retention

is "clearly consistent with the interests of the national security." Executive Order 10865, "Safeguarding Classified Information Within Industry," likewise permits the "...head of a department or his designee..." to grant access authorizations for industrial employees (NRC contractors) "... only upon finding that it is clearly consistent with the national interest to do so."

10 CFR Part 10, Subpart B, "Criteria and Procedures for Determining Eligibility for Access to Restricted Data or National Security Information or an Employment Clearance," provides criteria to assist in making this determination. In order for NRC to implement this responsibility, it is pertinent, from a security standpoint, that NRC receive information concerning (1) non-U.S. citizen spouses of NRC applicants; (2) non-U.S. citizen spouses of NRC contractor and licensee employees pending NRC access authorization processing; (3) spouses of NRC applicants, contractor or licensee employees who marry after applying for NRC access authorization; and (4) spouses of NRC contractor and NRC licensee employees who marry after having been granted NRC access authorization.

2. Agency Use of Information. The information supplied identifies the respondent, marriage, and data on the spouse and spouse's relatives. This information permits an initial security determination by the NRC Division of Security as to whether or not any information on the form has an impact on the respondents initial or continued eligibility for access authorization or employment clearance. A copy of the completed form is sent to the Federal Bureau of Investigation (FBI) where a name check of FBI files is

completed. In the case of non-U.S. citizen spouses and relatives, appropriate checks at other appropriate Government agencies may also be completed. The results of the completed FBI and other agency checks are returned to the NRC Division of Security whereupon a second evaluation/determination is made, based on any developed information, as to whether it has any impact on the respondent's initial or continued eligibility for access authorization or an employment clearance.

3. Reduction of Burden Through Information Technology. Because the information is required of individuals and not of corporations or businesses, it is not possible to reduce the burden of 15 minutes per respondent through information technology.
4. Effort to Identify Duplication. In a few instances, portions of the needed information might also be contained in other information submitted to the NRC or other Federal Agencies. However, duplication, if any, is slight and the collection of the information by use of the NRC Form 354 is considered the most effective and least burdensome means of obtaining the needed information.
5. Effort to Use Similar Information. No similar information exists. As with other personal information required from an individual applying for or processing an NRC access authorization, this too must be supplied by the individual. No alternative sources are available.
6. Effort to Reduce Small Business Burden. The licensees affected by this information collection are not small entities or businesses as those terms are used in the Regulatory Flexibility Act.

7. Consequences of Less Frequent Collection. There is no established reporting frequency or period for submission of NRC Form 354. This form is submitted only when an applicant marries after completing Personnel Security Forms; marries after receiving an access authorization; or an applicant married to a non-U.S. citizen requests an NRC access authorization.

8. Circumstances Which Justify Variation from OMB Guidelines. There is no variation from OMB Guidelines in this collection of information. Two copies of NRC Form 354 must be submitted to NRC Division of Security. The original copy is forwarded to the Federal Bureau of Investigation (FBI). The second copy is retained in the NRC personnel security file until the original is returned to NRC. The second copy is then destroyed.

9. Consultations Outside the NRC. No consultations.

10. Confidentiality of the Information. The information is used for determining initial and continuing eligibility for 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. The NRC Form 354 requests information regarding the applicant's or employee's marriage and identifying information regarding his/her spouse and spouse's relatives. This information is essential for identification purposes and to permit NRC

to make its determination regarding eligibility for access authorization in accordance with appropriate statutes, executive orders and regulations.

12. Estimated Annualized Cost to the Federal Government. The annual cost to NRC of receiving and processing the form is estimated at \$1,320 (88 reports x .25/hr x \$60).
13. Estimate of Burden. An estimated 15 minutes is required of each of the 88 respondents to complete each NRC Form 354, resulting in a total annual burden to the public of 22 hours.

The burden estimates are derived from a review of the present usage of the form by contractors, licensees, and NRC employment applicants. Therefore, based on this review and a review of the amount of time it takes the affected individuals to complete the form, it is our belief that these estimates are considered reasonable.

14. Reason for Changes in Burden. There has been no change in the burden on the public associated with the completion of NRC Form 354, since the current OMB approval.
15. Publication for Statistical Use. None.

INFORMATION 412

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 25 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-530), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0026), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

DATA REPORT ON SPOUSE

INSTRUCTIONS - This form shall be completed by any applicant who: (a) marries after completing the personnel security forms (NRC Form 1, "Personnel Security Questionnaire," or SF 86, "Questionnaire for Sensitive Positions"); (b) marries after having been granted an access authorization or employment clearance; or (c) is married to a non-U.S. citizen and requests NRC access authorization or employment clearance.

1. NAME OF EMPLOYEE OR APPLICANT (Last, First, Middle)	2. OTHER NAMES USED BY EMPLOYEE OR APPLICANT (Maiden name and/or other names previously used)
3. EMPLOYMENT (Present assignment)	4. DATE AND PLACE OF MARRIAGE
5. PRESENT NAME OF SPOUSE (Last, First, Middle)	6. OTHER NAMES USED BY SPOUSE (Maiden name and/or all other names previously used)
7. DATE AND PLACE OF BIRTH OF SPOUSE	8. PRESENT EMPLOYMENT OF SPOUSE (Name and location) OR LAST PREVIOUS EMPLOYMENT
9. PRESENT ADDRESS OF SPOUSE	10. LAST PREVIOUS ADDRESS OF SPOUSE

11. CITIZENSHIP OF SPOUSE: U.S. <input type="checkbox"/> ALIEN <input type="checkbox"/>	DUAL <input type="checkbox"/> (if dual, specify countries)
IF U.S. CITIZEN, INDICATE WHETHER:	IF ALIEN, INDICATE ALIEN REGISTRATION NO.
(A) BY BIRTH <input type="checkbox"/>	(C) BY NATURALIZATION <input type="checkbox"/>
(B) DERIVATIVE <input type="checkbox"/>	PETITION NO.
DATE	DATE
CERTIFICATE NO.	CERTIFICATE NO.
PLACE	PLACE
(A) DATE OF ENTRY	(C) PRESENT CITIZENSHIP
(B) PORT OF ENTRY	

12. MILITARY SERVICE OF SPOUSE (Past or present)				
COUNTRY	BRANCH	SERIAL NO.	FROM (YR.)	TO (YR.)

13. SPOUSE'S RELATIVES (Parents, divorced spouse or spouses, children, brothers, sisters, stepbrothers, stepsisters, half brothers, half sisters, living or dead)					
RELATION	NAME IN FULL	DATE OF BIRTH	ADDRESS	COUNTRY OF BIRTH	PRESENT CITIZENSHIP

14. SIGNATURE OF EMPLOYEE OR APPLICANT	DATE	NRC FILE NO. (To be filled in by Security Office)
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PRIVACY ACT STATEMENT

Pursuant to 5 U.S.C. 551a(e)(3), enacted into law by section 3 of the Privacy Act of 1974 (Public Law 93-579), the following statement is furnished to individuals who supply information to the Nuclear Regulatory Commission (NRC) on NRC Form 354. This information is maintained in a system of records designated as NRC-39 and described at 51 Federal Register 33168 (September 18, 1986, as revised at 52 Federal Register 4427 (February 11, 1987)).

1. AUTHORITY. Sections 145 and 161(i) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2165 and 2201(i); Executive Orders 10450, 10865, and 12356; 40 U.S.C., 318; OMB Circular No. A-130; Federal Personnel Manual 732 and authorities cited therein.
2. PRINCIPAL PURPOSE(S). Information entered on this form is used as a basis for an investigation to determine your initial or continuing eligibility for NRC employment, access to Restricted Data, National Security Information, or special nuclear material; or for access to NRC buildings or access to Federal automated information systems or data.
3. ROUTINE USES. This information may be disclosed to Federal investigative agencies for the purpose of conducting a security investigation for the NRC. The information may also be disclosed to an appropriate Federal, State or local agency in the event the information indicates a violation or potential violation of law and in the course of an administrative or judicial proceeding. In addition, this information may be transferred to an appropriate Federal, State, and local agency to the extent relevant and necessary for an NRC decision or to an appropriate Federal agency to the extent relevant and necessary for that agency's decision about you.
4. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL OF NOT PROVIDING INFORMATION. Disclosure of this information is voluntary; however, if it is not supplied, your clearance processing may be delayed or your application may not be processed.
5. SYSTEM MANAGER AND ADDRESS. Director, Division of Security, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555

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(A) BY BIRTH: <input type="checkbox"/>	(C) BY NATURALIZATION	(A) DATE OF ENTRY	(C) PRESENT CITIZENSHIP
(B) DERIVATIVE <input type="checkbox"/>	PETITION NO.	(B) PORT OF ENTRY	
DATE	DATE		
CERTIFICATE NO.	CERTIFICATE NO.		
PLACE	PLACE		

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COUNTRY	BRANCH	SERIAL NO.	FROM (YR.)	TO (YR.)

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4. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL OF NOT PROVIDING INFORMATION. Disclosure of this information is voluntary; however, if it is not supplied, your clearance processing may be delayed or your application may not be processed.
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