



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

PDR

December 18, 1989

The Honorable John Glenn, Chairman
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I am responding to your November 6, 1989 request for the Nuclear Regulatory Commission's (NRC's) views on S. 1742, the "Federal Information Resources Management Act of 1989". The Commission has reviewed the bill and is satisfied that the proposed amendments to the Paperwork Reduction Act will encourage continued efforts to reduce the Federal Government's demands for information from the private sector, yet at the same time will not impose unreasonable procedural requirements which would preclude the NRC from obtaining information needed to carry out its public health and safety mission. However, we recommend several changes that we believe would improve the legislation. Our detailed comments on S. 1742 are enclosed.

If you or other members of the Committee would like additional information from the NRC, please contact me.

Sincerely,

Kenneth M. Carr
Kenneth M. Carr

Enclosure: Detailed NRC comments

cc: Senator William V. Roth, Jr.

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CORRESPONDENCE PDC

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Detailed Nuclear Regulatory Commission Comments on S. 1742

1. Section 3507(d)(2) establishes a new certification process which purports to offer a streamlined method for renewing OMB approval of existing information collections. While we support the objective, we note that the process requires public comment, consideration of comments submitted, and submittal of a certification to OMB attesting to agency compliance with section 3506(a) sixty days prior to the expiration of the OMB control number. OMB would continue to retain the authority to require the agency to submit its information collection package for its review, even if the self-certification process is followed. Thus, the self-certification process appears to offer no advantage over the alternative renewal process provided for in the bill which requires OMB approval in each instance. In fact, in some instances it could increase the burden on the agency seeking the information collection renewal and prolong the process for OMB approval of the renewal. Therefore, we request that further consideration be given to streamlining the self-certification alternative to make it more attractive.

2. The bill establishes two procedures for renewing currently approved information collections -- a process for renewing those collections that are required by rule (section 3507 (j)) and a different process for those information collections requirements that are not required by rule (section 3507(d)(2)(A)). We recommend that the bill be revised to provide a single process for renewal and suggest that the process be the one prescribed for rule collections (section 3057(j)).

3. The Paperwork Reduction Act in section 3507(c) provides that independent regulatory agencies, such as the NRC, have the authority to collect information over OMB's objections, if the independent regulatory agency disagrees with OMB's determination. We support the retention of this provision. However, given the revisions to the information collection renewal process, it would be useful to make note of this override authority. We, therefore, suggest that section 3507(j) be revised by adding at the end of the existing sentence the words "or the authority of independent regulatory agencies under section 3507(c)."