



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 12, 2020

ALL AGREEMENT STATES

NOTICE OF REQUEST FOR COMMENT ON THE DIRECT FINAL RULE: SOCIAL SECURITY NUMBER FRAUD PREVENTION (STC-20-045)

Purpose: To provide notification of the U.S. Nuclear Regulatory Commission's (NRC) request for public comment on a direct final rule to implement the Social Security Number Fraud Prevention Act of 2017 (the Act).

Background: On September 15, 2017, the President signed the Social Security Number Fraud Prevention Act of 2017 into law.¹ On June 2, 2020, to implement the Act, the NRC published, in the *Federal Register*, a direct final rule (85 FR 33527) that would amend regulations in Part 9 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Public Records," and 10 CFR Part 35, "Medical Use of Byproduct Material." The NRC is seeking public comment on this rule via companion proposed rule (85 FR 33581).²

Discussion: The enclosed direct final rule adds a new Subpart E to 10 CFR Part 9 detailing the implementation of the Act with respect to use of social security numbers in documents sent by mail, and revises language in 10 CFR Part 35 to prioritize the use of identification numbers that are not social security numbers when identifying patients. The revised language in 10 CFR Part 35 requires Agreement States to make conforming changes to their regulations. The details and rationale for the changes are discussed in the final rule, which is posted with the companion proposed rule on the Federal e-rulemaking portal <http://www.regulations.gov> under docket No. NRC-2018-0303. Both rule documents provide details on how to submit comments, which are due by July 2, 2020.

After the comment period closes, if no significant and adverse comments are received and the direct final rule is confirmed, the NRC will issue a separate correspondence (State and Tribal Communication (STC) letter) to Agreement States providing specific details on how they should implement compatible regulations, including the Chronology of NRC Amendments and a Summary of Change document for the new Regulation Amendment Tracking System Identification Number (RATS ID).

¹ Public Law 115-59, Section 2(b)

² Because the NRC anticipates that this action will be non-controversial, the NRC published a companion proposed rule concurrently with the direct final rule in the same issue of the **Federal Register**. The direct final rule will become effective on August 17, 2020. However, if the NRC receives significant adverse comments by July 2, 2020, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments in a subsequent final rule. For more information, see the discussion under Procedural background in both the proposed and direct final rule.

If you have any questions regarding the Social Security Number Fraud Prevention rulemaking or this correspondence, please contact the individual named below:

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Enclosure:
Direct Final Rule:
"Social Security Number Fraud Prevention"

SUBJECT: NOTICE OF REQUEST FOR COMMENT: SOCIAL SECURITY NUMBER FRAUD
PREVENTION RULEMAKING (STC-20-045) DATE: JUNE 12, 2020

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***via email**

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