

April 3, 1978

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

SECY-78-184

INFORMATION REPORT

For: The Commissioners

From: Lee V. Gossick, Executive Director
for Operations

Subject: PROVISION OF INFORMATION TO CONGRESS

Purpose: To inform the Commissioners of the results of a recent survey on NRC office communications with the Congress.

Discussion: Recent experience in hearings before the Subcommittee on Energy and the Environment, the Subcommittee on Nuclear Regulation, the Subcommittee on Energy and Power, the Subcommittee on Public Works, and others emphasizes the importance of our communications with Congress. We have, therefore, requested from all staff offices a listing of current practices in this regard.

The responses received are presented in separate tabulations:

- Enclosure 1 displays by office the types of information sent and the transmittal proceeding for routine and for non-routine communications.
- Enclosure 2 is a cross-cut listing of the same data, arranged by recipient committee.
- Enclosure 3 is a listing of all Congressional units with which OCA has recently had contact.
- Enclosure 4 is a summary of comments provided by the offices suggesting various options for improving our communications with Congress.

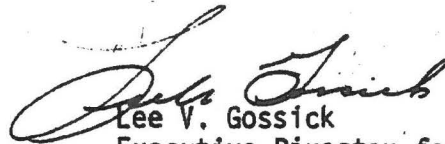
Contact:
C. Lotze, PLA
492-7721

The survey yielded two conclusions:

- NRC offices provide a very large quantity of information to the various Committees.
- Many NRC senior staff members feel uninformed about the additional information needs and interests of the Committees.

Regarding the first point, my staff is carrying out further analysis to determine what, if any, additional items of information should be provided to the Congress. Concerning the second item, new approaches may be desirable.

At your convenience, I would like to discuss options and additional procedures that might enhance relationships with the Congress as well as improve communications within and outside the NRC.



Lee V. Gossick
Executive Director for Operations

Enclosures:

1. Transmittals by office
2. Cross-cut
3. OCA Congressional contacts
4. Office comments

ECLOSURE 1

Transmittals by office

*(Note: All EDO staff offices route OCA items through EDO)

PROVISION OF INFORMATION TO CONGRESS

A. ROUTINE

<u>NRC OFFICE</u>	<u>TYPES OF INFORMATION</u>	<u>TRANSMITTAL PROCEDURE*</u>
EXECUTIVE LEGAL DIRECTOR ADMINISTRATION	None	--
Organization and Personnel	Annual certification of all position descriptions, including average grade and salary, and number of FT employees at end of current fiscal year.	Direct to Senate Committee on Post Office and Civil Service and House Committee on Appropriations. Copy to CA.
License Fee Management Branch	None	--
Contracts	Contract activities (Equal low bids; mistakes, protests)	Direct to Comptroller General, GAO
Facilities and Operations	Statistical Information	GSA
Technical Info. and Document Control	None	--
Security	Rainbow Books, Press Releases, Regulatory Guides, Licensee Event Reports, Current Events and Operating Experiences	Direct to Members of Congress, MOC (See Attachment A)
Division of Rules and Records	Clearances for Members of Congress <u>Federal Register Notices:</u> a. Notices of Proposed Rulemaking b. Notices of Rulemaking c. Notices of Filing of Petitions for Rulemaking d. Notices of Denials of Petitions for Rulemaking e. Notices of NRC Meetings Regarding Rulemaking f. Advance Notices of Proposed Rulemaking g. Notices Regarding NRC Policy Statements h. Notices Regarding Memoranda of Understanding	To OCA (Includes a - h) Through OCA To: Udall Committee Hart Committee

Enclosure 1

NRC OFFICE

Division of Rules and Records (cont'd.)

OFFICE OF THE CONTROLLER

A. ROUTINE

TYPES OF INFORMATION

Report of proposal to establish a new system of records or to make substantive changes to systems of records under Privacy Act of 1974

NRC's Privacy Act Annual Report

NRC's Annual Report on the administration of Freedom of Information Act

Budget Justification Books

Authorization Bill and Bill Analysis

Appropriation Language and Appropriation Justification (A-11 Schedule)

Responses to Authorization Committee Questions

Responses to Appropriation Committee Questions

Markup of Authorization Testimony

TRANSMITTAL PROCEDURE

Through OCA
To: Speaker of House
President of Senate
Udall Committee
Hart Committee
OMB

Direct to OMB for inclusion in President's Report to Congress

Through OCA
To: Speaker of the House
President of the Senate
Udall Committee
Hart Committee
House Committee on Gov't. Operations
Committee on Interstate & Foreign Commerce

Through OCA
To: 3 Authorization Committees
2 Appropriation Committees

Through OCA
To: 3 Authorization Committees
2 Appropriation Committees

Through OMB for President's Budget

Through OCA
To: House and Senate Authorization Committees

Direct to House and Senate Appropriation Committees, with prior OCA concurrence

Through OCA
To: House and Senate Authorization Committees

(Continued) -- Page 3

NRC OFFICE

OFFICE OF THE CONTROLLER (cont'd.)

INTERNATIONAL PROGRAMS

A. ROUTINE

TYPES OF INFORMATION

Markup of Appropriations Testimony

Information on Reprogramming Actions
as they occur

Status of Pending Exports (Monthly Report)

New License Applications Received

International Research and Information
Exchange Agreement Information

Information on Select Export License Cases

TRANSMITTAL PROCEDURE

Direct to House and Senate Appropriations Committee, with prior OCA concurrence

Through OCA
To: Authorization Committees

Through OCA
To: Senate Subcommittee on Energy, Nuclear Proliferation, and Federal Service

Direct to MOC
Through Department of State

Through OCA

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<u>NRC OFFICE</u>	<u>A. ROUTINE</u>	<u>TRANSMITTAL PROCEDURE</u>
STATE PROGRAMS	<u>TYPES OF INFORMATION</u>	
	Reports of non-routine events in Agreement States	Through OCA
	Formal reports of major studies and Workshops	Through OCA and direct upon request subsequent to transmittal through OCA
	State legislation information report	Through OCA and direct on request
	Congressional correspondence	Through OCA
EQUAL EMPLOYMENT OPPORTUNITY	Quarterly report on status of NRC EEO activities	Through OCA
MANAGEMENT INFORMATION AND PROGRAM CONTROL	Rainbow Books	Direct
	Current Events and Operating Experiences	Through OCA
	Monthly Licensee Event Reports	Direct
	Quarterly Abnormal Occurrence Reports	Through OCA
	Individual Abnormal Occurrence Reports	Through OCA (See Attachment C for distribution list)
NUCLEAR REGULATORY RESEARCH	Currently - None	--
	Annually, After April 12, 1978; Improved Safety Research	Through EDO and Commission
NUCLEAR MATERIALS SAFETY AND SAFEGUARDS	Budget Information, Abnormal Occurrence Reports,	Through EDO

A. ROUTINE

<u>NRC OFFICE</u>	<u>TYPES OF INFORMATION</u>	<u>TRANSMITTAL PROCEDURE</u>
STANDARDS DEVELOPMENT	<p>Federal Register Notices pertaining to public meetings, proposed regulations, effective regulations, and decisions on petitions for rulemaking</p> <p>Topical reports announced in the Federal Register, all regulatory guides and draft IAEA safety guides with Federal Register notice.</p>	<p>Through OCA To: Senate - Hart House - Udall</p> <p>Through EDO: Administrative and Correspondence Branch in accordance with OCA agreement To: Senate - Hart House - Udall</p>
INSPECTION AND ENFORCEMENT	<p>a. Preliminary Notification of Event or Unusual Occurrence</p> <p>b. Preliminary Notification of Safeguards Event</p> <p>c. Notification of Significant Enforcement Action</p> <p>Notification of events at plants involving large amounts of public attention</p>	<p>Through OCA (for a, b, and c) To: SHR/SCE & PH* SEE/HCIIA SEP/HCIFC SOI/HCIFC</p> <p>Through OCA To: Specific MOC in whose district the plants are located</p>
NUCLEAR REACTOR REGULATION Division of Operating Reactors	<p>Quarterly Abnormal Occurrence Reports</p> <p>Reports on Unusual Actions or Significant Incidents</p> <p>Show Cause Orders Issued to Licensees</p>	<p>Through OCA</p> <p>Through OCA</p> <p>Through OCA To: Udall Hart</p>

- * Senate Committee on Environment and Public Works
Subcommittee on Nuclear Regulation
- House Committee on Interior and Insular Affairs
Subcommittee on Energy and Environment
- House Committee on Interstate and Foreign Commerce
Subcommittee on Energy and Power
- House Committee on Interstate and Foreign Commerce
Subcommittee on Oversight and Investigations

<u>NRC OFFICE</u>	<u>A. ROUTINE</u>	<u>TRANSMITTAL PROCEDURE</u>
NUCLEAR REACTOR REGULATION (cont'd.)		
Division of Project Management	Congressional inquiries Safety Evaluation Reports and Notices Supplements to Safety Evaluation Reports Construction Permits and Notices Orders of Extension of Construction Completion Dates and Related Safety Evaluation Operating Licenses and Notices Preliminary and Final Design Approvals Orders to Show Cause, Orders for Recission, Revocation, or Suspension	Through OCA NRR Transmittal Form w/copy to OCA NRR Transmittal Form w/copy to OCA NRR Transmittal Form w/copy to OCA NRR Transmittal Form w/copy to OCA NRR Transmittal Form w/copy to OCA NRR Transmittal Form w/copy to OCA NRR Transmittal Form w/copy to OCA
Division of Site Safety and Environmental Analysis	a. Limited Work Authorizations b. Notices of Availability of ER c. Notices of Issuance of DES and FES Correspondence related to the Bally dewatering problem	NRC Transmittal Form #21 (for a,b, &c) To: Udall Hart Dingell
OEDO	Annual Report to Congress	Direct to specific MOC Distribution to . . . coordinate OCA

*(Note: All EDO staff offices route OCA items through EDO)

PROVISION OF INFORMATION TO CONGRESS

B. NON-ROUTINE *

NRC OFFICE

TYPES OF INFORMATION

TRANSMITTAL PROCEDURE*

ADMINISTRATION

License Fee Management Branch

Notice of Rule Change

Through OCA

Through OCA

Through OCA
To: SEE/CIITA (Udall)
SMR/CEPW (Hart)

Technical Info and Document Control

Correspondence and requests for reports/bulk copies of documents

Through OCA

Security

Information concerning the handling of NRC classified information

Through OCA

Division of Rules and Records

None

OFFICE OF THE CONTROLLER

Budgetary Information via Telephone Requests

Direct to Committees (generally House and Senate Appropriations) with memo to file and copy to OCA

Responses to Budgetary Questions Referred to Division of Budget by OCA

Direct to Committees (generally Authorization) with memo to file and copy to OCA

*All Congressional correspondence is routed thru OCA

(Continued) - Page 2

B. NON-ROUTINE

<u>NRC OFFICE</u>	<u>TYPES OF INFORMATION</u>	<u>TRANSMITTAL PROCEDURE</u>
STATE PROGRAMS	Requests for data and information Requests for copies of reports on State Program activities or for contractor reports Telephone requests for knowledgeable witnesses Telephone requests for published reports and information	Through OCA Through OCA Direct, with memo to OCA Direct, with memo to OCA
MANAGEMENT INFORMATION AND PROGRAM CONTROL	Requests for Documents	Direct
NUCLEAR REGULATORY RESEARCH	Testimony, answers to questions, etc. Meetings w/Congress	Through EDO Only after notification of EDO, OCA
NUCLEAR MATERIALS SAFETY AND SAFEGUARDS	Responses to calls	Direct response to MOC, with memo to Director, NMSS, EDO, and OCA
STANDARDS DEVELOPMENT	Responses to requests	Direct, as appropriate
INSPECTION AND ENFORCEMENT	Telephone requests for information - eg., Ft. St. Vrain	Direct by telephone
NUCLEAR REACTOR REGULATION		
Division of Operating Reactors	Telephone requests for information & briefings	OCA notified after the request
Division of Project Management	Congress notified when a matter is controversial or extensively adjudicated, e.g., ECCS, fuel densification, Seabrook.	Only through OCA
Division of Site Safety and Environmental Analysis	Major actions or events	(Not specified)

Cross-cut
ENCLOSURE 2

PROVISION OF INFORMATION TO CONGRESS

- I. Udall Committee (House Subcommittee on Energy and Environment)
- Hart Committee (Senate Committee on Environment and Public Works)
1. Notices of Proposed Rulemaking
2. Notices of Rulemaking
3. Notices of Filing of Petitions for Rulemaking
4. Notices of Denials of Petitions for Rulemaking
5. Notices of NRC Meetings Regarding Rulemaking
6. Advance Notices of Proposed Rulemaking
7. Notices Regarding NRC Policy Statements
8. Notices Regarding Memoranda of Understanding
9. Report of proposal to establish a new system of records
10. NRC's Annual Report on the administration of Freedom of Information Act
11. Budget Justification Books
12. Authorization Bill and Bill Analysis
13. Responses to Authorization Committee Questions
14. Markup of Authorization Testimony
15. Information on Reprogramming Actions as they occur
16. Federal Register Notices pertaining to public meetings, proposed regulations, effective regulations, and decisions on petitions for rulemaking.
17. Topical reports announced in the Federal Register, all regulatory guides and draft IAEA safety guides with Federal Register notice.
18. Show Cause Orders Issued to Licensees

* Enclosure 2 contains some items supplied by OCA that are not included in the listing under Enclosure 1.

19. Limited Work Authorizations
 20. Notices of Availability of ER
 21. Notices of Issuance of DES and FES
 22. Responses to Budgetary Questions Referred to Division of Budget by OCA
 23. Preliminary Notification of Event or Unusual Occurrence
 24. Preliminary Notification of Safeguards Event
 25. Notification of Significant Enforcement Action
 26. Notice of Rule Change on License Fees
 27. Formal reports of major studies and Workshops
 28. Quarterly report on status of NRC EEO activities
 29. Current Events and Operating Experiences
 30. Quarterly Abnormal Occurrence Reports
 31. Individual Abnormal Occurrence Reports
 32. Annually, After April 12, 1978: Improved Safety Research Reports
 33. Quarterly Abnormal Occurrence Reports
 34. Reports on Unusual Actions or Significant Incidents
 35. Show Cause Orders Issued to Licensees
 36. Grant of Waiver to Normal Contract Procedures
 37. Brown Book
 38. Press Releases
 39. NRC Comments on GAO Reports
 40. Significant ASLAP Board Orders
 41. Summaries and Announcements of ACRS Meetings
 42. Weekly Agenda of Commission Meetings
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II. Dingell Committee (House Committee on Interstate and Foreign Commerce)

1. NRC's Annual Report on the administration of Freedom of Information Act
 2. Budget Justification Books
 3. Authorization Bill and Bill Analysis
 4. Responses to Authorization Committee Questions
 5. Markup of Authorization Testimony
 6. Information on Reprogramming Actions as they occur
 7. Limited Work Authorizations
 8. Notices of Availability of ER
 9. Notices of Issurance of DES and FES
 10. Responses to Budgetary Questions Referred to Division of Budget by OCA
 11. Preliminary Notification of Event or Unusual Occurrence
 12. Preliminary Notification of Safeguards Event
 13. Notification of Significant Enforcement Action
 14. Report of proposal to establish a new system
of records
 15. Formal reports of major studies and Workshops
 16. Quarterly report on status of NRC EEO activities.
 17. Current Events and Operating Experiences
 18. Quarterly Abnormal Occurrence Reports
 19. Individual Abnormal Occurrence Reports
 20. Annually, After April 12, 1978: Improved Safety Research Reports
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21. Federal Register Notices pertaining to public meetings, proposed regulations, effective regulations, and decisions on petitions for rulemaking
22. Topical reports announced in the Federal Register, all regulatory guides and draft IAEA safety guides with Federal Register notice.
23. Quarterly Abnormal Occurrence Reports
24. Reports on Unusual Actions or Significant Incidents
25. Show Cause Orders Issued to Licensees
26. Notice of Rule Change for License Fees
27. Grant of Waiver to Normal Contract Procedures
28. Brown Book
29. Press Releases
30. NRC Comments on GAO Reports
31. Significant ASLAP Orders
32. Summaries and announcements of ACRS meetings
33. Weekly agenda of Commission Meetings

III. Members of Congress (As Appropriate*)

1. Rainbow Books, Press Releases
2. Regulatory Guides, Licensee Event
3. Reports, Current Events and Operating Experiences
4. New License Applications Received
5. Notification of events at plants involving large amounts of public attention
6. Correspondence related to the Bailly dewatering problem
7. Clearances for Staff Members of Congress

* Not all material is sent out to specific members and high priority items also go to the authorization committees.

III. Members of Congress (Continued)

8. Reports of non-routine events in Agreement States
9. NMSS Abnormal Occurrence Reports
10. Reports on Unusual Actions or Significant Incidents
11. Show Cause Orders Issued to Licensees
12. Safety Evaluation Reports and Notices
13. Supplements to Safety Evaluation Reports
14. Construction Permits and Notices
15. Orders to Extension of Construction Completion Dates and Related Safety Evaluation
16. Operating Licenses and Notices
17. Preliminary and Final Design Approvals
18. Orders to Show Cause, Orders for Recision, Revocation, or Suspension
19. Individual Abnormal Occurrence Reports

IV. Bevill Committee (House Appropriations)

Johnston Committee (Senate Appropriations)

1. Budget Justification Books
 2. Authorization Bill and Bill Analysis
 3. Responses to Appropriation Committee Questions
 4. Markup of Appropriations Testimony
 5. Budgetary Information via Telephone Requests
 6. Annual certification of all position descriptions (Bevill only)
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V. Comptroller General

1. Contract activities (Equal low bids; mistakes, protests)

VI. Senate Committee on Post Office & Civil Service

1. Annual certification of all position descriptions

VII. OMB

1. NRC's Privacy Act Annual Report
2. Appropriation Language and Appropriation Justification (A-11 Schedule)
3. Report of proposal to establish a new system of records

VIII. Speaker of House

President of Senate

1. Report of proposal to establish a new system of records
2. NRC's Annual Report on the administration of Freedom of Information Act
3. Waiver Granted to normal Contract Procedures

IX. House Committee on Government Operations

1. NRC's Annual Report on the administration of Freedom of Information Act
2. NRC Comments on GAO Reports

X. Glenn Subcommittee (Energy, Nuclear Proliferation and Federal Service)

Zablocki Subcommittee (International Relations)

1. Status of Pending Exports
2. Information on Select Export License Cases

XI. Senate Governmental Affairs Committee

1. NRC Comments on GAO Reports.

ENCLOSURE 3

OCA Congressional contacts

HOUSE COMMITTEES:

Appropriations:

Subcommittee on Public Works -- Chairman Tom Beville

Armed Services

Subcommittee on Intelligence and Military Application of Nuclear Energy
Chairman Melvin Price

Government Operations

Subcommittee on Environment, Energy and Natural Resources
Chairman Leo J. Ryan

Interior and Insular Affairs

Subcommittee on Energy and the Environment--Chairman Morris K. Udall

International Relations

Subcommittee on International Security and Scientific Affairs
Chairman Clement J. Zablocki

Interstate and Foreign Commerce

Subcommittee on Energy and Power --Chairman John D. Dingell
Subcommittee on Oversight and Investigations--Chairman John E. Moss

Judiciary

Subcommittee on Administrative Law and Government Relations
Chairman George Danielson

Public Works and Transportation

Subcommittee on Public Buildings and Grounds-- Chairman Norman Mineta

Science and Technology

Subcommittee on Fossil and Nuclear Energy Resources, Development and
Demonstration -- Chairman Walter Flowers
Subcommittee on Environment and the Atmosphere-- Chairman George E. Brown

SENATE COMMITTEES:

Appropriations:

Subcommittee of Public Works — Chairman J. Bennett Johnston

Commerce, Science and Transportation

Subcommittee on Science, Technology, and Space — Chairman Alai E. Stevenson

Energy and Natural Resources

Subcommittee on Energy Resources and Development — Chairman Frank Church

Subcommittee on Energy Production and Supply — Chairman Floyd Haskell

Environment and Public Works

Subcommittee on Nuclear Regulation — Chairman Gary Hart

Government Affairs

Subcommittee on Energy, Nuclear Proliferation and Federal Services

Chairman John Glenn

Judiciary

Subcommittee on Administrative Practice and Procedure

Chairman James Abourezk

Subcommittee on Antitrust and Monopoly

Chairman Edward M. Kennedy

AUTHORIZATION COMMITTEES:

- Senate: Subcommittee on Nuclear Regulation
Committee on Environment and Public Works
Senator Gary Hart, Chairman
- House: Subcommittee on Energy and the Environment
Committee on Interior and Insular Affairs
Representative Morris K. Udall, Chairman
- House: Subcommittee on Energy and Power
Committee on Interstate and Foreign Commerce
Representative John D. Dingell, Chairman

APPROPRIATIONS COMMITTEES:

- Senate: Subcommittee on Public Works
Committee on Appropriations
Senator J. Bennett Johnston, Chairman
- House: Subcommittee on Public Works
Committee on Appropriations
Representative Thomas Beville, Chairman

ENCLOSURE 4

Office comments

SUGGESTIONS FOR KEEPING CONGRESS
FULLY AND CURRENTLY INFORMED

I. One conclusion that emerges from many of the responses is that we don't really know what Congress wants in order to feel "fully and currently informed." Therefore, several comments address this matter directly:

1. Develop guidance for the staff through consultation with Congressional committee staffs for the types of non-routine information that should be sent to Congress.
2. Set up Congressional fellowships so that NRC employees would work on the staffs of the major oversight committees for one-year terms. This should improve communications between NRC and the Congress, thus giving us an understanding of Congressional needs.
3. Perhaps on a temporary basis, we could arrange to send OCA a sample of all issuances for review and discussion with representatives of Congressional Committees so that the Committees can decide what they would like to receive.
4. Commission policy should encourage discussion with Congress of matters yet unresolved by the Commission itself as a means of gaining feedback on the analysis of regulatory impact.

5. We should support the policy of providing regulatory impact analysis to Congressional committee staffs for information and comment.
6. The office of Congressional Affairs should include ad hoc representation from program and statutory offices for purposes of routine coordination and policy implementation.
7. For especially significant events occurring at licensed facilities, OCA should send a copy of the Preliminary Notification to the offices of Senators and Representatives in whose district the facilities are located. OCA could offer to arrange for a briefing if so desired.
8. For significant programmatic changes that have been approved in the budget process, NRC should notify the affected Congressional offices where the changes are initiated. For example, when the first resident inspector is assigned to a facility, OCA should notify the various subcommittees and the Congressmen of that district.
9. Periodic (perhaps quarterly) briefings of the staffs of the principal committees should be held. Such briefings could be handled on a functional basis, e.g., safeguards.

- 10. Perhaps some of the documents generated by the Office of Management and Program Analysis should be provided.

Some examples are:

- . Nuclear Power Plant Operating Experience
- . Current Events - Power Reactors
- . Occupational Radiation Exposure Report
- . Radioactive Materials Released
from Nuclear Power Plants
- . Generic Activities Summary Status Report

II. It also appears evident from these responses that we lack a central, internal communications node, or network, whose responsibility it would be to channel expressions of Congressional interest to the rest of the agency. This impression is perhaps to be expected, since the survey sought to trace the flow of communications from the NRC to Congress. However, it may be equally important to explore the mechanisms by which information from Congress is gathered, received, and transmitted within our agency. Given this information, we may then be able to assess more fully the adequacy of our procedures. We may then wish to devise options for improving our procedures for keeping the Congress informed.
