

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) conducted a comprehensive review of 13 of its Privacy Act systems of records. As a result of this review, the NRC is republishing 13 of its system of records notices. In nine of the system of records notices, the revisions include minor and administrative changes that do not meet the criteria for either a new or altered system of records. However, the changes in the following four Privacy Act system of records notices do meet the criteria for either a new or altered system of records.

- NRC – 5, Grants Management System
- NRC – 8, Employee Disciplinary Actions, Appeals, Grievances, and Complaints Records
- NRC – 11, Reasonable Accommodations Records
- NRC – 23, Case Management System - Indices, Files, and Associated Records

1. Purpose

NRC-5, currently named "Contracts Records," is being renamed to "Grants Management System" to reflect the narrowed scope of the system. Other revisions associated with narrowing the scope of the system include modifying the sections on purpose, authority, categories of individuals covered, categories of records, routine uses, policies and practices for retrieval of records, and policies and practices for retention and disposal.

NRC-8 is being revised to clarify the purpose of the system, the categories of individuals covered by the system, the record source categories, the routine uses and the administrative, technical, and physical safeguards.

NRC-11 is being updated to clarify the authority for maintenance of this system. Upon a written request from the agency's head or an official who has been delegated such authority, the NRC may disclose the records for the purposes of civil or criminal law or regulatory enforcement to another agency.

NRC-23, currently named "Office of Investigations Indices, Files, and Associated Records," is being renamed to "Case Management System – Indices, Files and Associated Records" to clarify the coverage for both investigation and enforcement information. Other revisions include modifying the sections on system managers, categories of individual covered, categories of records, practices for storage of records, practices for retrieval of records, and the retention and disposal information.

2. Authority

NRC-5 42 U.S.C. § 16274a, "University Nuclear Leadership Program."

NRC-8 5 U.S.C. 3132(a); 5 U.S.C. 3502, 5 U.S.C. 3571, 5 U.S.C. 4303, as amended; 5 U.S.C. 7513; 29 U.S.C. 633a; 29 U.S.C. 791; 42 U.S.C. 2000e-16; 42 U.S.C. 2201(d), as amended.

NRC-11 Executive Order (E.O.) 13164; E.O. 9397, as amended by E.O. 13478; Social Security Number Fraud Prevention Act of 2017, 42 U.S.C. 405 note.

NRC-23 42 U.S.C. 2035(c); 42 U.S.C. 2201(c); and 42 U.S.C. 5841; 10 CFR 1.36; 10 CFR 1.33.

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, per the system of records 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.

NRC-5 Records are maintained on a protected shared drive. Access rights to the information is only available to authorized personnel.

NRC-8 Records are maintained in locked file cabinets and in a security-controlled access automated system. Access to and use of these records is limited to those persons whose official duties require such access.

NRC-11 Records are maintained on paper and electronically. Paper documents are maintained in lockable file cabinets. Electronic files are password protected.

NRC-23 Hard copy files are maintained in approved security containers and locking filing cabinets. All records are under visual control during duty hours and are available only to authorized personnel who have a need to know and whose duties require access to the information. The electronic management information system is operated within the NRC's secure LAN/WAN system. Access rights to the system are only available to authorized personnel.

5. Compatibility with Section (a)(7) of the Privacy Act

The NRC adheres to the Privacy Act and 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).

NRC-5 The NRC considers the disclosure of information to the individual educational institution in order to monitor the progress of scholarship and fellowship recipients, to ensure compliance with program requirements, to use the data to demonstrate program effectiveness and for the educational institution's record-keeping purposes to be a disclosure for a compatible use, because such disclosures directly support administration of the grant program for which records in this system are collected.

NRC-8 The NRC considers the disclosure of information to other Federal organizations, including but not limited to, the Office of Personnel Management, Merit Systems Protection Board, Office of Special Counsel, Equal Employment Opportunity Commission under applicable requirements related to complaints, investigations and appeals to be a disclosure for a compatible use, because other Federal entities, including those specifically listed, can become officially involved in the personnel-related matters and proceedings for which records are maintained in this system.

NRC-11 There are no changes in the routine uses.

NRC-23 There are no changes in the routine uses.

6. Office of Management and Budget Control Numbers

None.