

May 19, 1999

COMMISSION VOTING RECORD

DECISION ITEM: SECY-99-104
TITLE: MODIFICATION OF THE NRC PERSONNEL SECURITY PROGRAM

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of May 19, 1999.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission, and the SRM of May 19, 1999.

Annette Vietti-Cook
Secretary of the Commission

Attachments: 1. Voting Summary
2. Commissioner Vote Sheets
3. Final SRM

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
EDO
PDR
DCS

VOTING SUMMARY - SECY-99-104

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. JACKSON	X				X	4/28/99
COMR. DICUS	X					4/17/99
COMR. DIAZ	X				X	4/22/99
COMR. McGAFFIGAN	X				X	4/16/99
COMR. MERRIFIELD	X				X	4/16/99

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and some provided additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on May 19, 1999.

Commissioner Comments on SECY-99-104

Chairman Jackson

I approve of the staff proposal to modify the NRC personnel security program. The staff has done an excellent job implementing Commission guidance in this area. I suspect that under the new criteria even more positions in certain offices can be designated as requiring "L" or "L plus Single Scope Background Investigation" clearances, rather than "Q" clearances. However, I agree with Commissioner Merrifield that we should proceed with caution, ensuring full consideration of the potential effects of these modifications. For example, as a result of the changes described in SECY 99-104, the staff will have less flexibility to implement rotational assignments because the number of staff with the necessary clearances for certain positions will be reduced. In addition, I agree with Commissioner Diaz that NRC management should communicate early and effectively with the staff to ensure that the change in clearances is not viewed as an adverse action.

Commissioner Diaz

I approve the recommended modifications to the NRC personnel security position-sensitivity criteria, and I commend the staff for taking a hard look at this issue and for crafting a plan that will reduce unnecessary costs while ensuring that clearance levels more closely match need-to-know. In implementing this plan, the staff should pursue the ambitious reduction in the number of Q-clearances, as described in Case 1 of Table 2 of the paper. As part of this reduction, management should ensure that all personnel understand that the resulting changes in clearance levels are not adverse actions.

Commissioner Merrifield

I agree with the staff's recommendation to modify the NRC's Personnel Security Program by applying the suggested changed criteria for clearances, however, I have some concerns regarding costs and efficiency.

I understand that a position by position review will be completed to provide a modified number and type of clearances, and that after that review, staff will have a more realistic annual savings resulting from this modification. I caution staff in their review to closely consider the potential effects of these modifications from two perspectives. First, I want staff to ensure that we do not downgrade a large number of clearances and later have to upgrade those clearances which could require additional costs. Secondly, I do not want to downgrade a large number of clearances and later find that such action impedes the efficiency of NRC's decision making.