

March 14, 2012

The Honorable Thomas R. Carper
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am pleased to provide a summary of actions taken by the NRC in response to recommendations contained in United States Government Accountability Office (GAO) reports that address NRC activities.

The enclosed summary describes the progress made in addressing recommendations remaining open as of, or provided by GAO since our last summary report of April 11, 2011.

Sincerely,

/RA/

Gregory B. Jaczko

[Enclosure: Summary of NRC Actions](#)

cc: Senator John Barrasso

Identical letters sent to:

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Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510
cc: Senator John Barrasso

The Honorable Ed Whitfield
Chairman, Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515
cc: Representative Bobby L. Rush

The Honorable John Shimkus
Chairman, Subcommittee on Environment
and the Economy
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515
cc: Representative Gene Green

The Honorable Rodney Frelinghuysen
Chairman, Subcommittee on Energy
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Committee on Appropriations
United States House of Representatives
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cc: Representative Peter J. Visclosky

The Honorable Dianne Feinstein
Chairman, Subcommittee on Energy
and Water Development
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cc: Senator Lamar Alexander

The Honorable Darrell Issa
Chairman, Committee on Oversight
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United States House of Representatives
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The Honorable Barbara Boxer
Chairman, Committee on Environment
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United States Senate
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The Honorable Fred Upton
Chairman, Committee on Energy and Commerce
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Chairman, Committee on Appropriations
United States House of Representatives
Washington, D.C. 20515
cc: Representative Norm Dicks

The Honorable Daniel K. Inouye
Chairman, Committee on Appropriations
United States Senate
Washington, D.C. 20510
cc: Senator Thad Cochran

The Honorable Joseph I. Lieberman
Chairman, Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, D.C. 20510
cc: Senator Susan M. Collins

The Honorable Gene L. Dodaro
Comptroller General of the United States
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cc: Frank Rusco
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The Honorable Jeff Zients
Acting Director, Office of Management and Budget
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Washington, D.C. 20503

SUMMARY OF NRC ACTIONS

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ENCLOSURE

**GAO Report - Enterprise Architecture: Leadership Remains Key to Establishing
and Leveraging Architectures for Organizational Transformation**
August 2006
(GAO-06-831)

The U.S. Government Accountability Office (GAO), in its report, "Enterprise Architecture: Leadership Remains Key to Establishing and Leveraging Architectures for Organizational Transformation" (GAO-06-831), provided a recommendation to several government entities, including the U.S. Nuclear Regulatory Commission (NRC), to assist in addressing enterprise architecture challenges, managing architecture programs, and realizing architecture benefits. This recommendation to the NRC remained open as of the agency's last report, and a report of progress is provided below.

Recommendation

The NRC develops and implements plans to ensure NRC's enterprise architecture (EA) program fully satisfies each of the conditions in the GAO's enterprise architecture management maturity framework (EAMMF).

Status:

The NRC has taken actions to ensure that the NRC's EA program maintains the conditions in the GAO's EAMMF. In 2010, the NRC completed the actions necessary on the remaining two open core elements of Stage 2, Building the EA Management Foundation.

With respect to Stage 3, Developing EA Products, the NRC has no outstanding core elements remaining.

With respect to Stage 4, "Completing EA Projects," the NRC submitted evidence of progress made to close the remaining elements in this stage. The NRC considers Stage 4 completed and closed.

With respect to Stage 5, Leveraging the EA for Managing Change, the NRC submitted evidence to GAO of how NRC leveraged the EA for Managing Change. The NRC completed the GAO "Survey of Federal Departments' and Agencies' Efforts to Measure and Report Enterprise Architecture Results and Outcomes." The NRC was recognized by GAO in 2012, as one of five agencies that measured and reported financial benefits from its EA program, in the GAO update to "Opportunities to Reduce Potential Duplication in Government Programs Save Tax Dollars, and Enhance Revenue—Enterprise Architecture." The NRC considers Stage 5 completed and closed.

The NRC considers this GAO recommendation to be closed.

GAO Testimony - Nuclear Security: Actions Taken by NRC to Strengthen Its Licensing Process for Sealed Radioactive Sources Are Not Effective
July 2007
(GAO-07-1038T)

In its report, "Nuclear Security: Actions Taken by NRC to Strengthen Its Licensing Process for Sealed Radioactive Sources Are Not Effective," the U.S. Government Accountability Office (GAO) made recommendations to correct weaknesses in the U.S. Nuclear Regulatory Commission's (NRC's) materials licensing program that were identified during GAO's testing of the licensing program using covert investigative methods. The recommendation to the NRC that remained open as of the agency's last report is provided below.

Recommendation 3

NRC should explore options to prevent individuals from counterfeiting NRC licenses, especially if this allows the purchase of more radioactive materials than they are approved for under the terms of the original license.

Status:

The Materials Program Working Group was established in 2007 and chartered to prepare a report that would assess specific and potential security vulnerabilities in NRC's radioactive materials program and provide recommendations to address any identified vulnerabilities. As part of its assessment, the Working Group evaluated options to prevent counterfeiting of radioactive materials licenses and improve license verification. The Working Group concluded that properly implemented measures for license verification and material tracking will render the physical counterfeiting of a paper license ineffective. The Working Group recommended that the NRC and the Agreement States develop mechanisms to verify licensee authorizations and inventory compliance in conjunction with the source tracking capabilities of the National Source Tracking System (NSTS). On December 31, 2008, the NSTS was deployed and made available to NRC and Agreement State licensees to track risk-significant sources.

The NRC is working with the Agreement States to develop a secure nationwide Web-based license verification system (LVS), whereby licensees and other authorized individuals will be able to verify that radioactive material transactions are authorized and do not exceed license limits by verifying transaction information against the regulator's licensing data. The LVS is being designed to interface with a Web-based licensing (WBL) system, which will be deployed by August 2012. The LVS will follow in spring 2013. At this time, NRC and Agreement States conduct prelicensing visits to new license applicants to verify the validity of the information submitted to obtain a new radioactive material license. Also, new regulations are being developed for transactions of Category 1 and 2 radioactive materials that will require licensees to verify with the license-issuing authority that the transferee's license authorizes the receipt of the type, form, and quantity of the radioactive material requested, and, for Category 1 shipments, to verify the validity of the address where radioactive material is requested to be delivered. These regulations are included in the final rule package in Title 10 of the Code of Federal Regulations Part 37, Physical Protection of Byproduct Material which was submitted to the Commission for approval in December 2011.

Ultimately, the implementation of the NRC's electronic LVS will fully address this GAO recommendation for NRC and Agreement State radioactive material licenses.

This GAO recommendation remains open.

GAO Report - Nuclear Security: DOE and NRC Have Different Security Requirements for Protecting Weapons-Grade Material from Terrorist Attacks
September 2007
(GAO-07-1197R)

In its unclassified summary report, “Nuclear Security: DOE and NRC Have Different Security Requirements for Protecting Weapons-Grade Material from Terrorist Attacks,” of a classified report about the same topic, the U.S. Government Accountability Office (GAO) made recommendations to address the differences in actions to protect Category I strategic special nuclear material (SSNM) at U.S. Department of Energy (DOE) sites and U.S. Nuclear Regulatory Commission (NRC) licensees. The recommendation that remained open as of the NRC’s last report of progress is provided below.

Recommendation 2

NRC should expedite its efforts to ensure that its licensees have the same legal authorities to acquire heavier weaponry and use deadly force as DOE sites currently have to protect such material.

Status:

The Energy Policy Act of 2005 provided the NRC with new authority by adding Section 161A to the Atomic Energy Act of 1954 (AEA) (42 U.S.C. § 2201a), which permits the use of enhanced weapons by licensees designated by the Commission. The NRC sought this enhanced authority after the September 11, 2001 terrorist attacks and supported the Congressional enactment of the legislation. Congress required the Commission to issue, with the Attorney General’s approval, firearms guidelines before this statutory provision took effect. The NRC published the guidelines in the *Federal Register* on September 11, 2009 (74 FR 46800). Subsequently, the NRC published in the *Federal Register* proposed implementing regulations designating Category I SSNM facilities as appropriate for possession and use of enhanced weapons, along with detailed draft regulatory guidance, for public comment on February 3, 2011 (76 FR 6200, 76 FR 6085, 76 FR 6086, and 76 FR 6087). The comment period closed in August 2011 and the NRC received over 350 comments on the proposed rule and associated guidance documents. The NRC is evaluating these comments and developing a final rule. Separate from the rulemaking, one of the NRC’s Category I SSNM licensees applied in January 2012 to the NRC in accordance with Section 161A and the firearms guidelines to obtain replacement enhanced weapons under a confirmatory order (i.e., the NRC could issue a confirmatory order to this licensee before a final rule is published). The NRC staff is evaluating this application and discussing implementation issues with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Regarding GAO’s issue on the use of deadly force authority for NRC-licensed Category I SSNM facilities similar to DOE sites, the NRC cannot revise its regulations to confer upon licensee security personnel the authority to use deadly force that has been conferred upon security personnel at DOE sites. This is because Section 161k of the AEA (42 U.S.C. § 2201(k)) currently does not provide the NRC such authority. In addition, in 2003, the U.S. Department of Justice informed NRC that they opposed the enactment of legislation that would revise Section 161K due to constitutional separation of powers.

Given the lack of statutory authority, the NRC considers this GAO recommendation to be closed.

GAO Report - Nuclear Security: NRC and DHS Need to Take Additional Steps to Better Track and Detect Radioactive Materials
June 2008
(GAO-08-598 and GAO-08-839SU)

In its report, "Nuclear Security: NRC and DHS Need to Take Additional Steps to Better Track and Detect Radioactive Materials," the U.S. Government Accountability Office (GAO) assessed the progress the U.S. Nuclear Regulatory Commission (NRC) has made in implementing recommendations from GAO's 2003 report, "Nuclear Security: Federal and State Action Needed to Improve Security of Sealed Radioactive Sources" (GAO-03-804), and other steps NRC has taken to improve its ability to track radioactive materials. GAO provided NRC two recommendations to ensure priority attention is given to implementing new tracking and licensing systems, and to include additional radioactive sources in its tracking systems.

The recommendation that remained open as of the NRC's last report is provided below:

Recommendation 1

The Chairman of the NRC take steps, consistent with sound systems development practices, to ensure that priority attention is given to meeting the current January 2009, and summer 2010 target dates for launching the National Source Tracking System, Web-Based Licensing System, and the new License Verification System, respectively.

Status:

The Commission has placed a high priority on the deployment of these systems. An integrated project team, with representatives from all involved offices, meets weekly to discuss the progress of individual projects, coordinate actions and identify any potential issues for senior management attention. Senior managers from all involved offices meet monthly on these projects to ensure that appropriate focus is maintained, that challenges to success are systematically identified and addressed, that progress is properly communicated throughout the organization, and that tasks and resources are coordinated and prioritized.

In accordance with Office of Management and Budget guidance, the NRC has employed sound system development practices. The NRC (1) assigned professionally certified project managers to the National Source Tracking System (NSTS), Web-Based Licensing (WBL) System, and License Verification System (LVS) projects, (2) set reasonable performance baselines and integrated project schedules for each of these projects, and (3) is employing earned value management on each of the three projects: NSTS, WBL, and LVS.

The NSTS was deployed on December 31, 2008.

The NRC staff completed its evaluation of alternative solutions for the WBL in the 2nd quarter of Fiscal Year (FY) 2009, and selected a Government-off-the-shelf alternative using the State of Ohio Department of Health's Web-based RADMAT license management system as a foundation for the NRC's WBL system. The NRC is proceeding with multiple parallel actions to quickly implement the selected alternative. The first phase of this effort to adapt the RADMAT system for NRC internal use by migrating existing license information from NRC's legacy system to the RADMAT environment was completed in the 3rd quarter of FY 2010.

A request for proposals to acquire implementation services for NRC's Integrated Source Management Portfolio (ISMP) was issued in September 2009. The ISMP is a set of information technology tools that will provide a Web-based solution to (1) enable an up-to-date accounting of the possession of the most risk-significant radioactive sources in the nation, (2) authenticate the validity of radioactive material licenses, and (3) modernize materials licensing. The contract, awarded in May 2010, provides services that include developing the LVS, completing functionality adaptations to the RADMAT system to fulfill remaining WBL requirements, continued maintenance and operation of NSTS, and other related services. A requirements validation workshop was held at NRC Headquarters in October 2010 with stakeholders representing the NRC regional offices, Agreement States, and industry. A similar workshop for the LVS system was held in March 2011 and the LVS system requirements were delivered to the contractor in April 2011. The system architectures for the WBL system and LVS were approved in July 2011 and October 2011, respectively. The NRC staff, through an NRC/Agreement State working group, established a process to include Agreement State license data in the WBL system. The Agreement States are providing license images and data files for licensees with Category 1 and 2 radioactive materials to the NRC contractor for inclusion in the WBL system. The NRC is scheduled to deploy WBL in August 2012. The LVS is scheduled to be deployed in spring 2013.

This GAO recommendation remains open.

GAO Report - Information Technology: Agencies Need to Establish Comprehensive Policies to Address Changes to Projects' Cost, Schedule, and Performance Goals
July 2008
(GAO-08-925)

The U.S. Government Accountability Office (GAO), in its report "Information Technology: Agencies Need to Establish Comprehensive Policies to Address Changes to Projects' Cost, Schedule, and Performance Goals," made a recommendation to address the weaknesses identified with agencies' rebaselining policies. The GAO recommendation was directed to the Director of the Office of Management and Budget (OMB) and to the 24 major agencies. Details are provided below of the U.S. Nuclear Regulatory Commission's (NRC's) progress in addressing this recommendation during 2010 and early 2011.

Recommendation

To address the weaknesses identified with agencies' rebaselining policies, we are making recommendations to the Director of OMB and to the 24 major agencies. Specifically, we recommend that:

- the Director of OMB issue guidance for rebaselining policies that would include a minimum set of key elements, taking into consideration the criteria used in this report; and
- each of the heads of the 24 major agencies direct the development of comprehensive rebaselining policies that address weaknesses we identified.

Status:

The NRC has existing NRC policy guidance, issued as Management Directive (MD) 2.8, Project Management Methodology (PMM), and within the Project Control Procedures and PMM Earned Value Management (EVM) Guide, that define requirements for establishing initial project baselines, performing integrated reviews of project baselines and requesting rebaselining actions resulting from changes in scope or other internal/external factors. MD 2.8 already requires any NRC executive to manage an IT investment to within 10 percent of a performance management baseline that encompasses cost, schedule, performance, and quality goals. The NRC's EVM Guide already requires that agency project managers use an American National Standard Institute/Electronic Industries Alliance Standard 748-compliant EVM system to manage major IT acquisitions to the performance management baseline. The baseline must be validated within 6 months of its establishment by an integrated baseline review conducted by the project manager and the NRC's Office of Information Services (OIS) in accordance with guidance in the National Defense Industrial Association's "Program Manager's Guide to the Integrated Baseline Review Process."

OMB required agencies to stand up a TechStat project review process by March of 2011 to review projects and determine if they were at risk of not delivering the intended capabilities on time or within budget, identify corrective actions or other control measures that need to be put in place, and execute on those measures. The NRC implemented this process as directed and provided staff training to support this implementation. As part of the TechStat process, projects that are determined to be at risk but of sufficient business value to continue would be evaluated to determine if a rebaselining action was warranted. The TechStat process requires information to be submitted to the OMB IT dashboard, providing the basis for the rebaselining action.

If an investment fails to meet performance standards in the validated baseline, TechStat requires an Investment Review Board (IRB) to oversee a corrective action plan to bring the poorly performing project back on track or to terminate the project. TechStat also requires agencies to develop an escalation policy when poor performance is identified. At the NRC, the Information Technology Board and the Information Technology Portfolio Executive Council fulfill the role of an IRB and their charters identify the triggers for escalation to the next level.

Existing NRC policy guidance will be reviewed periodically as new or different TechStat and baseline requirements are defined. Based on a review of final versions of TechStat material, many of the requirements are already addressed in MD 2.8.

The following paragraphs address specific comments about the NRC's approach to each of the best practice areas:

1. Describe reasons when a rebaseline is warranted.
 - a. Following an integrated baseline review of a project when material changes in scope occur resulting from internal or external factors and the rebaseline changes to resources and schedule are determined to be acceptable.
 - b. As a result of a TechStat review where a course correction is approved and the rebaseline changes are determined to be acceptable.
2. Describe the process for developing a new baseline.
 - a. For integrated baseline reviews, the Project Manager (PM) identifies and analyzes the intended changes to determine impact on the schedule and other external elements (e.g., schedules; resources). They complete a Baseline Change Request (BCR) document, providing clear rationale and the necessary details to justify the intended changes to the project's current baseline and submit the BCR to the appropriate approving authority for their review and approval.
 - b. At the TechStat or project control phase review, a determination will be made on whether a project can reasonably deliver the expected outcome within the current baseline. If a baseline change is necessary, the TechStat team in conjunction with the PM will perform analysis to determine the schedule and resource changes required to address the recommended course corrections. This will be submitted for approval to the Information Technology Board conducting the TechStat review.
3. Require validating the new baseline.
 - a. Integrated baseline reviews are performed to validate baselines as soon as practical after contract award, but no later than 180 days.
 - b. Under the TechStat process, baseline validation will be performed by Chief Information Officer staff in OIS and will be reviewed by the Information Technology Board.
4. Require management review.
 - a. Integrated baseline reviews are conducted and reviewed by the OIS Project Management Office.
 - b. The Information Technology Board, which is the NRC's investment review board, will conduct ongoing monitoring of new or revised baseline plans as required by NRC policy guidance and the TechStat process.

5. Require that the process is documented.
 - a. MD 2.8, the Project Control Procedures and PMM Earned Value Management Guide define requirements for establishing initial project baselines, performing integrated reviews of project baselines and requesting rebaselining actions resulting from changes in scope or other internal/external factors.
 - b. NRC will implement any additional guidance as necessary through updates to our MD 2.8 "Project Management Methodology," within 60 days of receipt of the final OMB TechStat guidance.

The NRC considers this GAO recommendation to be closed.

**GAO Report – Managing Sensitive Information: Actions Needed to Prevent Unintended
Public Disclosures of U.S. Nuclear Sites and Activities
December 2009
(GAO-10-251)**

The U.S. Government Accountability Office (GAO), in its report “Managing Sensitive Information: Actions Needed to Prevent Unintended Public Disclosures of U.S. Nuclear Sites and Activities,” made specific recommendations to strengthen the control of U.S. information contained in the declaration to the International Atomic Energy Agency (IAEA) under the Additional Protocol. The recommendation that remained open and a report of progress from 2009 through 2011 are provided below.

Recommendations for Executive Action

To ensure that corrective actions are taken to prevent the inadvertent public disclosure of sensitive information in future draft declarations or other documents prepared for IAEA by multiple U.S. agencies, the GAO made the following four recommendations:

- The Secretaries of Commerce, Energy, and State, and the Chairman of the NRC should enter into an interagency agreement concerning the designation, marking, and handling of such information and make any policy or regulatory changes necessary to reach such an agreement. This agreement should be revised as necessary to take into account future direction from the President, the National Archives and Records Administration or the task force identified in the May 2009 presidential memorandum regarding standardization of the procedures for designating, marking, and handling documents that are unclassified but are not intended for public release.
- The Secretary of State should clearly indicate in the text whether the presidential message and attached documents should be printed and made publicly available when preparing presidential communications to the Congress for documents to be presented to IAEA.
- The Executive Office of the President should consider revising any written guidance and/or practices it has and conducting staff training for handling and safeguarding sensitive information in future declarations or other documents between the United States and IAEA before it needs to issue its next declaration in May 2010.
- GPO’s Public Printer should implement, as expeditiously as possible, the recommendations from the agency’s August 2009 inspector general report in order to improve the security culture and reduce the possibility of the recurrence of future postings of sensitive information to the GPO Web site.

Only the first recommendation is relevant to the NRC’s actions in response to this report.

Status:

The NRC and other agencies have agreed to use both IAEA “Highly Confidential Safeguards Sensitive” and U.S. government “Official Use Only (OUO)” markings on draft declarations prepared for IAEA.

The NRC considers this GAO recommendation to be closed.

GAO Report – Nuclear Safety: Convention on Nuclear Safety Is Viewed by Most Member Countries as Strengthening Safety Worldwide
April 2010
(GAO-10-489)

The U.S. Government Accountability Office (GAO), in its report: “Nuclear Safety: Convention on Nuclear Safety Is Viewed by Most Member Countries as Strengthening Safety Worldwide,” made three recommendations to the U.S. Nuclear Regulatory Commission (NRC) to further enhance the usefulness of the Convention on Nuclear Safety (CNS) in promoting the safety of civilian nuclear power programs worldwide. On July 30, 2010, the Chairman of the NRC informed Congress about the actions planned in response to the recommendations identified by GAO. The status of the actions taken by the NRC in response to the GAO recommendations is provided below.

Recommendation 1

Encourage parties to include performance metrics in national reports to better track safety in civilian nuclear power plants and help countries more systematically measure where and how they have made progress in improving safety.

Status:

On December 20, 2010, the United States submitted a proposal to International Atomic Energy Agency (IAEA) and all CNS Contracting Parties to establish a mechanism to assess how effectively Contracting Parties are achieving the objectives of the CNS. One method for achieving this would be for Contracting Parties to consider including safety performance metrics for operating nuclear power plants in the National Reports. The United States presented this proposal and an additional proposal to enhance the effectiveness of the Convention to the Open Ended Working Group (OEWG) during the CNS 5th Review Meeting that took place in April 2011 in Vienna, Austria. Given the substantial time devoted to the response to the Fukushima Daiichi accident, the OEWG deferred discussion of the U.S. proposals until future meetings.

During the 5th CNS, Contracting Parties committed to hold an Extraordinary Meeting in August 2012 to share lessons learned from Fukushima and to evaluate the effectiveness of the CNS. The NRC expects that the United States’ proposal on improving the effectiveness of the CNS will be given full consideration. The proposal to consider including safety performance metrics will be discussed during the CNS 6th Review Meeting in 2014.

This GAO recommendation remains open.

Recommendation 2

Expand efforts to increase the number of parties’ national reports made available to the public by posting them to IAEA’s public Web site.

Status:

The United States leads by example by always making its National Report available to the public on the NRC and the IAEA's Web sites. In addition, the United States currently has two leadership positions in the CNS and they have been working with the leaders from other countries in encouraging all Contracting Parties to also make their reports publicly available. The United States discussed this topic with the CNS Scientific Secretary, and on December 22, 2010, in a message from the CNS Scientific Secretary to all Contracting Parties, he reminded them that: "in the spirit of openness and transparency, Contracting Parties are encouraged to notify IAEA when they agree to have their National Reports posted on the IAEA public website." The NRC and the U.S. Department of State will continue to encourage Contracting Parties to make as much information publicly accessible as possible.

This GAO recommendation remains open.

Recommendation 3

Promote greater public dissemination of parties' written answers to questions about their nuclear power programs by posting this information on IAEA's public Web site.

Status:

The United States leads by example by always making its written answers to questions about our National Report available to the public on the NRC and the IAEA's Web sites. Similar to the process for making the National Reports available, the countries need to notify IAEA when they agree to have their answers posted on the IAEA public Web site. The United States will continue to promote dissemination of the Contracting Parties' answers.

This GAO recommendation remains open.

**GAO Report – Information Security: Federal Agencies Have Taken Steps to Secure
Wireless Networks, but Further Actions Can Mitigate Risk
November 2010
(GAO-11-42SU)**

The U.S. Government Accountability Office (GAO), in its report: “Information Security: Federal Agencies Have Taken Steps to Secure Wireless Networks, but Further Actions Can Mitigate Risk,” made three recommendations to the U.S. Nuclear Regulatory Commission (NRC) to improve the security controls with regard to agency use of wireless networks. In response, on January 26, 2011, the Chairman of the NRC informed Congress about the actions planned in response to the GAO recommendations. The status of the actions taken by the NRC in response to the GAO recommendations is provided below.

Recommendation 1

Finalize and implement a policy regarding usage restrictions and implementation guidance for wireless networks, including wireless network and wireless-specific security controls.

Status:

The NRC expects to finalize and implement a policy regarding usage restrictions in Management Directive and Handbook 12.5, NRC Cyber Security Program, by the end of fiscal year 2012. NRC expects to complete implementation guidance for wireless networks, including wireless network and wireless-specific security controls by the end of fiscal year 2013.

The GAO recommendation remains open.

Recommendation 2

Finalize and implement a written policy for configuring mobile devices when taken on international travel or to other potentially risky locations and for applying preventative measures to devices when they are returned.

Status:

The NRC updated the approved and implemented CSO-STD-1000, “NRC Blackberry Enterprise and Handheld Configuration Standard,” to incorporate more comprehensive configuration controls. The NRC is currently considering “Bring Your Own Device” implementations and needs to develop preventive measures associated with international travel. The NRC expects to document the preventive measures by the end of the 4th quarter of fiscal year 2013.

This GAO recommendation remains open.

Recommendation 3

Work with the organization that provides the NRC’s security awareness training to update the course to include information on laptop and mobile device security, including the importance of maintaining physical control of devices and disabling wireless functionality when the device is not in use.

Status:

The NRC Information Systems Security Line of Business provider of NRC's computer security awareness course has included the key elements of maintaining physical control of laptop and mobile devices and disabling wireless functionality when not in use. The NRC's security awareness briefing to new hires and international travelers also incorporates those principles.

The NRC considers this GAO recommendation to be closed.

**GAO Report - Oversight of Underground Piping Systems Commensurate with Risk,
but Proactive Measures Could Help Address Future Leaks**
June 2011
(GAO-11-563)

The U.S. Government Accountability Office (GAO), in its report: "Oversight of Underground Piping Systems Commensurate with Risk, but Proactive Measures Could Help Address Future Leaks," made two recommendations to the U.S. Nuclear Regulatory Commission (NRC) to ensure the continued protection of the public's health and safety. In response, on August 19, 2011, the Chairman of the NRC informed Congress about the actions planned in response to the recommendations identified by GAO (Agencywide Documents Access and Management System (ADAMS) Accession No. ML11207A532). The status of the actions taken by the NRC in response to the GAO recommendations is provided below.

Recommendation 1

Periodically evaluate the extent to which the industry's voluntary Groundwater Protection Initiative will result in prompt detection of leaks and, based upon these evaluations, determine whether the agency should expand its ground water monitoring requirements.

Status:

The staff is monitoring the industry's voluntary initiatives to determine if the initiatives are being conducted in a committed and enduring fashion, and are successful in detecting leaks. The results of the NRC recent groundwater inspections have not identified the need to expand its ground water monitoring requirements. Therefore, no changes to the regulatory framework are currently being contemplated.

Nevertheless, on August 15, 2011, the Commission issued a staff requirements memorandum requesting options to potentially revise the overall regulatory approach to groundwater protection (ADAMS Accession No. ML112270292). The staff options for addressing this issue will be provided to the Commission by March 30, 2012.

This GAO recommendation remains open.

Recommendation 2

Stay abreast of ongoing industry research to develop technologies for structural integrity tests and, when they become feasible, analyze costs to licensees for implementing these tests compared with the likely benefits to public health and safety. Based on this analysis, the NRC should determine whether it should expand licensees' inspection requirements to include structural integrity tests for safety-related underground piping.

Status:

The NRC is actively staying abreast of industry research efforts via participation in American Society of Mechanical Engineers Boiler and Pressure Vessel Committees, interaction with Electric Power Research Institute personnel, information sharing with other agencies and participation in international meetings to discuss inspection technology for buried and underground piping. The industry is working to develop inspection technology for remote, non-destructive acquisition of structural integrity information in buried piping systems, but the technology is not yet sufficiently mature for routine application in nuclear power facilities. The agency has established milestones in the staff's Buried Piping Action Plan (ADAMS Accession No. ML11332A122) to periodically assess both the performance of available technology and the need to make changes to the current regulatory framework.

This GAO recommendation remains open.

GAO Report – Data Center Consolidation: Agencies Need to Complete Inventories and Plans to Achieve Expected Savings
July 2011
(GAO-11-565)

The U.S. Government Accountability Office (GAO), in its report “Data Center Consolidation: Agencies Need to Complete Inventories and Plans to Achieve Expected Savings” made the recommendations to the U.S. Nuclear Regulatory Commission (NRC) on data center consolidation efforts to meet the Homeland Security Presidential Directive 12 (HSPD-12) programs’ objectives of using the electronic capabilities of Personal Identify Verification (PIV) cards for access to Federal networks and systems.

The NRC completed the key plan elements that were identified by GAO for inclusion in the consolidation plan in the most recently released version of its data center consolidation inventories and plans. Additionally, the NRC leveraged information collected to ensure that known risks were identified, prioritized, and mitigated to the greatest extent possible. A risk management matrix with associated mitigation strategies was completed in January 2012.

Recommendation 1

The secretaries and agency heads of the Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Homeland Security, Interior, Justice, Labor, State, Transportation, Treasury, and Veterans Affairs; the Environmental Protection Agency, the General Services Administration, the National Aeronautics and Space Administration, the National Science Foundation, the Nuclear Regulatory Commission, the Office of Personnel Management, the Small Business Administration, the Social Security Administration, and the U.S. Agency for International Development should direct their component agencies and their data center consolidation program managers to complete the missing elements in their respective data center consolidation inventories and plans.

Status:

In June 2011, the NRC completed “key inventory elements” by fully assessing the number of virtual hosts and virtual operating systems in the NRC information technology environment, and reported to the Office of Management and Budget. The NRC is in the initial stages of the consolidation effort and will complete the “key plan elements” that were identified by GAO for inclusion in the consolidation plan by March 2012.

This GAO recommendation remains open.

Recommendation 2

The secretaries and agency heads of the Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Homeland Security, Interior, Justice, Labor, State, Transportation, Treasury, and Veterans Affairs; the Environmental Protection Agency, the General Services Administration, the National Aeronautics and Space Administration, the National Science Foundation, the Nuclear Regulatory Commission, the Office of Personnel Management, the Small Business Administration, the Social Security Administration, and the U.S. Agency for International Development should require their data center consolidation program managers to consider consolidation challenges and lessons learned when updating their consolidation plans.

Status:

The NRC has captured appropriate challenges and lessons learned from Federal and State governments, as well as private industry sources. The NRC leveraged information collected to ensure that known risks are identified, prioritized, and mitigated to the greatest extent possible. A risk-management matrix with associated mitigation strategies was completed in January 2012.

The NRC believes that the GAO's two recommendations outlined in GAO-11-565, "Data Center Consolidation: Agencies Need to Complete Inventories and Plans to Achieve Expected Savings," issued in July 2011, have been addressed.

The NRC considers this GAO recommendation to be closed.

**GAO Report – Personal Identity Verification: Agencies Should Set a Higher
Priority on Using the Capabilities of Standardized Identification Cards
September 2011
(GAO-11-751)**

The U.S. Government Accountability Office (GAO), in its report “Personal Identity Verification: Agencies Should Set a Higher Priority on Using the Capabilities of Standardized Identification Cards” made recommendations to meet the Homeland Security Presidential Directive 12 (HSPD-12) programs’ objectives of using the electronic capabilities of Personal Identify Verification (PIV) cards for access to Federal networks and systems.

The status of the action taken by the U.S. Nuclear Regulatory Commission (NRC) in response to the GAO report is provided below.

Recommendation 1

The Chairman of the U.S. Nuclear Regulatory Commission (NRC) should develop and implement procedures to allow staff who need to access multiple computers simultaneously to use the PIV card to access each computer.

Status:

The NRC has developed and fully implemented procedures to allow staff members to access multiple computers simultaneously using their PIV cards. The Office of Information Services, in coordination with the Computer Security Office, and with the approval of the agency Designated Approving Authorities, has implemented changes so that removal of the PIV card from the PIV card reader no longer results in the automatic locking of the computer. Users are now encouraged to remove their PIV card from the PIV card reader after they have completed logging in, and to then place the PIV card back in its protective holder on their person. These procedures allow staff to use their PIV cards to access multiple computers simultaneously with their PIV cards. These procedures, along with a reminder of PIV card holder responsibilities, were issued to staff on January 30, 2012, in a Network Announcement titled “IT/IM Resources: PIV Card Login and PIV Card Holder Responsibilities.”

The GAO’s recommendation outlined in GAO-11-751, “Personal ID Verification: Agencies Should Set a Higher Priority on Using the Capabilities of Standardized Identification Cards,” issued September 2011, has been addressed.

The NRC considers this GAO recommendation to be closed.