



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS  
WASHINGTON, DC 20555 - 0001**

December 5, 2016

MEMORANDUM TO: Victor M. McCree  
Executive Director for Operations

FROM: Andrea D. Veil, Executive Director /RA/  
Advisory Committee on Reactor Safeguards

SUBJECT: DOCUMENTATION OF RECEIPT OF APPLICABLE OFFICIAL NRC  
NOTICES TO THE ADVISORY COMMITTEE ON REACTOR  
SAFEGUARDS FOR DECEMBER 2016

During the 639<sup>th</sup> meeting of the Advisory Committee on Reactor Safeguards (ACRS), November 30-December 2, 2016, the Committee considered the NRC communications forwarded by OCHCO (attached) as items for their awareness and any actions as appropriate. This memorandum documents the receipt of the attached communications by the ACRS members. No response to this memorandum is required.

Attachment: As stated

cc: A. Vietti-Cook, SECY  
T. Inverso, OEDO  
R. Lewis, OEDO

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OFFICE	ACRS	SUNSI Review	ACRS	ACRS
NAME	QNguyen	QNguyen	MLBanks	ADVeil
DATE	12/02/16	12/02/16	12/06/16	12/06/16

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## Monthly Communication of Official NRC Notices to the ACRS

Announcement Type	Date	Subject
Network	11/1/16	<p data-bbox="443 415 1588 537"><b>OPM - Credit Monitoring and ID Protection Services Updates</b></p> <p data-bbox="443 577 1105 606"><a href="http://drupal.nrc.gov/announcements/standard/security-safety/25108">http://drupal.nrc.gov/announcements/standard/security-safety/25108</a></p> <p data-bbox="443 651 784 680"><b>Announcement Category</b></p> <p data-bbox="443 686 639 716">Security Safety</p> <p data-bbox="443 722 586 751"><b>Publish on</b></p> <p data-bbox="443 758 602 787">Nov 1, 2016</p> <p data-bbox="443 793 1511 865">The following message is sent by Beth Cobert, Acting Director, Office of Personnel Management.</p> <p data-bbox="443 915 662 945">Dear Colleagues,</p> <p data-bbox="443 1001 1581 1178">Since 2015, the U.S. Office of Personnel Management has offered credit monitoring and identity protection services at no charge to individuals impacted by the personnel records and background investigations cyber incidents. I am writing to let you know of an upcoming service provider change that will affect a subset of the individuals impacted by these incidents.</p> <p data-bbox="443 1232 1585 1375">OPM has taken steps to ensure that while this change is occurring there are no gaps in identity restoration and identity theft insurance coverage. Most impacted individuals will not need to take any action and can keep their current services, while others may need to enroll with a new provider if they want to continue to use credit monitoring services.</p> <p data-bbox="443 1428 1581 1499">For more information about this provider change, and about the 2015 OPM cybersecurity incidents, please visit our Cybersecurity Resource Center at</p> <p data-bbox="443 1503 907 1533"><a href="https://www.opm.gov/cybersecurity">https://www.opm.gov/cybersecurity</a>.</p> <p data-bbox="443 1583 846 1612"><b><u>Am I affected by this change?</u></b></p> <p data-bbox="443 1669 1588 1808">Two service providers, ID Experts (MyIDCare) and Winvale/CSID, currently support impacted individuals. ID Experts (MyIDCare) currently makes coverage available to 97 percent of the total population impacted by the cyber incidents. If you are covered by ID Experts (MyIDCare) for the background investigations incident, there is NO CHANGE to</p>

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		<p>your current available coverage from ID Experts and NO ACTION is required from you at this time.</p> <p>If you are covered by Winvale/CSID for the personnel records incident, this coverage will expire on December 1. However, the same type of coverage will be available to you from a different vendor. If you would like to <b><u>continue receiving credit monitoring services</u></b>, please go to the Cybersecurity Resource Center website for information about how to re-enroll. If you are enrolled for credit monitoring services with Winvale/CSID, you will likely receive a communication from Winvale/CSID in the coming days explaining that your coverage is expiring.</p> <p>If you don't know if you are impacted, don't know your service provider, or need a copy of your notification letter, please visit the Cybersecurity Resource Center at <a href="https://www.opm.gov/cybersecurity">https://www.opm.gov/cybersecurity</a> for more information.</p> <p>This change is the first step in OPM's efforts to extend coverage to all impacted individuals to 10 years. We will continue to provide you with credit monitoring and identity protection services updates. In addition, there are steps everyone can take to protect against identity theft, fraud, and other online crimes and malicious activity. For more information visit <a href="#">Stop.Think.Connect™</a>.</p>
	11/14/16	<p><b>Subject: Applicability of the Hatch Act After Election Day</b></p> <p><a href="http://drupal.nrc.gov/announcements/yellow/policy-reminder/25463">http://drupal.nrc.gov/announcements/yellow/policy-reminder/25463</a></p> <p><b>Announcement Category</b> Policy Reminder <b>ML #</b> ML16319A316 <b>Publish on</b> Nov 14, 2016</p> <p><b>Yellow Announcement:</b> YA-16-0123</p> <p><b>Date:</b> November 14, 2016</p> <p><b>Expiration Date:</b> September 6, 2021</p>

Announcement Type	Date	Subject
		<p><b>TO: All NRC Employees</b></p> <p><b>SUBJECT: APPLICABILITY OF THE HATCH ACT AFTER ELECTION DAY</b></p> <p>The Office of the General Counsel (OGC) has received a large number of inquiries as to whether the restrictions of the Hatch Act continue to apply now that Election Day has passed. The Hatch Act is the Federal law that prohibits Government employees from, among other things, engaging in “political activity” while on duty or inside a Federal room or building (5 U.S.C. 7324). “Political activity” is defined as “activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group” (5 C.F.R. 734.101).</p> <p>The U.S. Office of Special Counsel (OSC) is the independent Federal agency with authority to investigate and prosecute violations of the Hatch Act. In this role, the <a href="#">OSC has issued post-election guidance</a> on when a Presidential candidate is no longer considered a “candidate” for purposes of the Hatch Act. In sum, candidates for President and Vice President of the United States are still considered “candidates” until the votes of the Electoral College are counted and announced by Congress on January 6, following an election. However, OSC has concluded that, practically speaking, activities supporting or opposing a Presidential candidate can no longer affect the results of that election once Election Day has passed, and thus can no longer be considered prohibited political activity “directed toward the success or failure” of that candidate (with rare exception).</p> <p><b>Therefore, after Election Day, Federal employees may engage in certain activity that was previously prohibited by the Hatch Act, such as wearing or displaying items while on duty that express support for or opposition to a Presidential candidate.</b> However, even after Election Day, the Hatch Act continues to restrict Federal employees from engaging in activity that shows support for or opposition to a political party or partisan political group while on duty or in the Federal workplace. This latter prohibition applies at all times, regardless of whether there is an ongoing election.</p> <p>Employees may refer to Management Directive 7.10, “Political Activity,” for more information on activities that continue to be prohibited by the Hatch Act. Employees may also contact an ethics counselor at <a href="mailto:Ethics.Resource@nrc.gov">Ethics.Resource@nrc.gov</a> with additional questions on this Yellow Announcement or the Hatch Act generally.</p> <p style="text-align: right;">/RA/</p> <p>Margaret M. Doane General Counsel</p>

Announcement Type	Date	Subject
	11/14/16	<p data-bbox="443 268 1593 516"><b>Subject: Policy Requirements That All Employees Who Travel Must Obtain and Use a Government Contractor-Issued Travel Charge Card for All Official Trips</b></p> <p data-bbox="443 558 1011 590"><a href="http://drupal.nrc.gov/announcements/yellow/policy/25460">http://drupal.nrc.gov/announcements/yellow/policy/25460</a></p> <p data-bbox="443 632 784 663"><b>Announcement Category</b></p> <p data-bbox="443 667 526 699">Policy</p> <p data-bbox="443 703 521 735"><b>ML #</b></p> <p data-bbox="443 739 643 770">ML16291A516</p> <p data-bbox="443 774 586 806"><b>Publish on</b></p> <p data-bbox="443 810 618 842">Nov 14, 2016</p> <p data-bbox="1109 936 1609 968"><b>Yellow Announcement:</b> YA-16-0122</p> <p data-bbox="1279 1020 1609 1052"><b>Date:</b> November 9, 2016</p> <p data-bbox="1122 1104 1609 1136"><b>Expiration Date:</b> September 4, 2020</p> <p data-bbox="443 1188 915 1220"><b>TO:</b> All NRC Employees</p> <p data-bbox="443 1272 1593 1377"><b>SUBJECT: POLICY REQUIREMENTS THAT ALL EMPLOYEES WHO TRAVEL MUST OBTAIN AND USE A GOVERNMENT CONTRACTOR-ISSUED TRAVEL CHARGE CARD FOR ALL OFFICIAL TRIPS</b></p> <p data-bbox="443 1461 1601 1797">This Yellow Announcement updates and supersedes Management Directive 14.1, "Official Temporary Duty Travel," Handbook Section V.A.2(a) travel policy, regarding the use of a Government contractor-issued travel charge card, and impacts all Nuclear Regulatory Commission (NRC) employees who travel. A recent update was made to the Federal Travel Regulation (FTR) requiring all travelers, regardless of the number of times they travel, to have a Government contractor-issued travel charge card and to use it for all official travel expenses. The revision to the FTR requires the NRC to implement this action by November 14, 2016. The staff has developed a set of Frequently Asked Questions that can be found at the following link:</p> <p data-bbox="443 1801 1528 1833"><a href="http://drupal.nrc.gov/sites/default/files/govt-contractor-issued-travel-charge-faqs.pdf">http://drupal.nrc.gov/sites/default/files/govt-contractor-issued-travel-charge-faqs.pdf</a></p>

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		<p>Under the FTR at 41 CFR 301-51.1, the Government contractor-issued travel charge card must be used “as the method of payment for all official travel expenses unless exempted under 301-51.2.” Official travel <u>expenses</u> that are exempt from the mandatory use of the Government contractor-issued travel charge card are “expenses for which payment through the Government contractor-issued travel charge card is impractical (e.g., vendor does not accept credit cards) or imposes unreasonable burdens or costs (e.g., fees are charged for using the card) are exempt from use of the travel charge card.” Official travel expenses may also be exempted “when it is necessary in the best interest” of the NRC, as determined by the head of the agency or his/her designee (301-51.2; 301-51.4).</p> <p>Under the FTR at 41 CFR 301-51.3, “The Administrator of General Services exempts the following classes of employees from mandatory use of the Government contractor-issued travel charge card:</p> <p>Any employee who has an application pending for the Government contractor-issued travel charge card;  Any employee, when issuance of the Government contractor-issued travel charge card would adversely affect the mission or put the employee at risk; and  Any employee who is not eligible to receive a Government contractor-issued travel charge card.”</p> <p>There is no longer an exemption under the FTR for the class of employees who travel 5 times or less a year. Therefore, all NRC employees who expect to travel at any point in the future and who do not have a Government contractor-issued travel charge card need to apply for one (<a href="http://fusion.nrc.gov/nrcformsportal/default.aspx?FilterName=Form_x0020_Number&amp;FilterMultiValue=*780*">http://fusion.nrc.gov/nrcformsportal/default.aspx?FilterName=Form_x0020_Number&amp;FilterMultiValue=*780*</a>). Employees are required to complete the <i>Government Travel Charge Card Training (Web-Based) Course ID_202</i> in iLearn before receiving a travel charge card. Employees also are required to activate their Government contractor-issued travel charge card once they receive it</p> <p>Employees are reminded that the Government contractor-issued travel charge card cannot be used to pay for local travel expenses or any personal or other non-official travel expenses. Employees are also reminded that misuse of the Government contractor-issued travel card may result in disciplinary action.</p> <p>If you have questions, please contact Raji Thaivalappil at 301-415-7859.</p> <p style="text-align: right;">/RA/</p> <p>Maureen E. Wylie Chief Financial Officer</p>