

May 19, 2017

The Honorable Jason Chaffetz
Chairman, Committee on Oversight and Government Reform
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is republishing all of its Privacy Act system of records notices to incorporate a new routine use and revise an existing routine use. The NRC is making these changes in response to the Office of Management and Budget Memorandum M-17-12, "Preparing for and Responding to a Breach of Personally Identifiable Information," dated January 3, 2017.

The NRC is proposing to adopt a new routine use, which it will list as Routine Use 9 in the NRC's Prefatory Statement of General Routine Uses. The agency will incorporate this proposed new routine use into all NRC systems of records. This proposed Routine Use 9 would authorize the disclosure of information when reasonably necessary to assist another agency in its response to a suspected or confirmed breach.

The NRC is also revising Routine Use 7 in the NRC's Prefatory Statement of General Routine Uses. This revised routine use will be incorporated into each NRC system of records. The revised Routine Use 7 will ensure that the NRC is able to disclose records if reasonably necessary to respond to a suspected or confirmed breach of the system of records.

In the process of reviewing the agency's routine uses, the NRC also identified an opportunity to clarify that disclosures to the Office of Government Information Services (OGIS) in support of OGIS's statutory responsibilities under the Freedom of Information Act (FOIA) could potentially encompass records originally drawn from any of the NRC's systems of records in connection with a FOIA request. Under the proposed revision, all NRC systems of records would now incorporate Routine Use 8 from the NRC's Prefatory Statement of General Routine Uses, which addresses FOIA-related disclosures to OGIS. Although the NRC had already incorporated Routine Use 8 in the NRC's system of records associated with FOIA requests, referencing this routine use in every NRC system notice will better highlight the range of NRC records to which the Routine Use 8 could apply.

In accordance with the guidance in Office of Management and Budget Circular A-108, the NRC is enclosing copies of the narrative statement and proposed systems of records notices. The agency also sent copies of these documents to the Chairman of the Committee on Homeland Security and Government Affairs of the U.S. Senate and the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget for a 30-day review and comment period.

J. Chaffetz

-2-

If you have any questions about the proposed revisions, please contact Mr. Eugene Dacus, Director of the Office of Congressional Affairs, by phone at (301) 415-1776 or by e-mail at Eugene.Dacus@nrc.gov.

Sincerely,

/RA by Frederick D. Brown for/

Victor M. McCree
Executive Director
for Operations

Enclosures:

1. Narrative Statement
2. System of Records Notices

cc: Representative Elijah Cummings

Letter addressed to Jason Chaffetz, Chairman, Committee on Oversight and Government Reform, United States House of Representatives; from Victor M. McCree, Executive Director for Operations. Date: May 19, 2017

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