

Reprogramming Procedures
Nuclear Regulatory Commission
January 30, 1979

1. At the start of a fiscal year or within 15 days after the passage of NRC's annual appropriation act, whichever is later, a "base table" will be furnished to the Committees. The base table will show the budget approved by Congress for each NRC program (a program is one of the major elements appearing in NRC's budget (in 1979; NRR, SD, IL, NMSS, Res, FTS, PDA), as well as such line item detail for each program as specified in the legislative history of the appropriation act). This initial base table would also identify all comparability adjustments to the budget approved by Congress with appropriate explanations of each.
2. After the initial base table is submitted, on a quarterly basis thereafter, all funding adjustments made during the quarter to the previous base table submission will be identified and explained.
3. Reprogramming Actions requiring prior approval of the Appropriations Subcommittees:
 - a. Any upward or downward adjustment to line items (as defined in (1)) receiving specific Congressional action in the appropriations process.
 - b. Actions adjusting line items shown in the base table, not restricted by 3(a), by more than \$500,000.
 - c. Actions that transfer funds to a new item. A new item is a programmatic effort not identified in the budget justification material as modified in the legislative history of the appropriation act.
 - d. The Appropriations Subcommittees will consider reprogramming requests and notify Commission officials of their decision according to the long standing practices heretofore used.
4. In the case of reprogramming actions not falling under (3) but known to be of Congressional interest, the Committees should be notified prior to implementation.

5. Uses of unobligated balance carry-over:

- a. Utilization of unobligated balance carry-over to fund prior year commitments in accordance with the Congressionally approved budget is not considered a reprogramming action.
- b. Utilization of unobligated balance carry-over to fund other than prior year commitments is considered a reprogramming action and will be submitted for approval or reported in accordance with paragraphs 2, 3 and 4 above.

6. Funds associated with staff positions (salaries, benefits and support costs):

- a. When staff positions are transferred from one program (as defined in paragraph 1) to another for other than comparability purposes, the transfer of funds associated with these staff positions is considered a reprogramming action and will be appropriately reported in accordance with paragraph 3 above.

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

February 6, 1985

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The Honorable Morris K. Udall, Chairman
Subcommittee on Energy and the Environment
Committee on Interior and Insular Affairs
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Your letter of January 14, 1985 expressed concern about the continuing independence of the Office of Investigations (OI).

Please be assured that the Commission has no desire to undermine the effectiveness or independence of OI. Upgrading NRC's investigative capabilities to the very highest professional standards has been a priority for me as it has been for other members of the Commission. Assuring their maintenance is a continuing commitment of the Commission.

In consolidating agency investigative functions in OI in June 1982, the Commission advised Congress that the new office would "for the time being" report directly to it. In that sense, the status of OI as an office reporting directly to the Commission or indirectly through the Executive Director for Operations has been a matter under continuing review.

The Commission has taken no final action on the issue and would be pleased to discuss it fully with the Committee at our next opportunity.

Sincerely,

Nunzio J. Palladino

Nunzio J. Palladino

cc: Rep. Manuel Lujan

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GENERAL COUNSEL

TIMOTHY W. GLIDDEN
REPUBLICAN COUNSEL

January 14, 1985

The Honorable Nunzio Palladino
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

I have been informed that the Commission may shift the Office of Investigations (OI) from its current position as a Commission level office to a position where it would report to the Executive Director for Operations (EDO). I am troubled by the possibility of such a change.

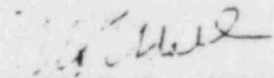
Placing OI under the EDO would, it seems to me, place EDO managers in a situation where they would be called upon to make judgments on matters in which they had a pre-existing interest. The change would, therefore, compromise OI's independence which I believe is crucial if OI is to do its job.

Accordingly, I recommend strongly that the Commission not move OI from its current position within the NRC organization.

I would appreciate your being prepared to discuss this matter at the forthcoming hearing on the Commission's authorization for Fiscal Years 1986 and 1987.

Thank you for your assistance.

Sincerely,


MORRIS K. UDALL
Chairman

~~850220044~~
POR/COMMS/NRC



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

February 6, 1985

W. J. P.

The Honorable Edward J. Markey, Chairman
Subcommittee on Oversight and Investigations
Committee on Interior and Insular Affairs
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Your letter of January 16, 1985 expressed concern about the continuing independence of the Office of Investigations (OI).

Please be assured that the Commission has no desire to undermine the effectiveness or independence of OI. Upgrading NRC's investigative capabilities to the very highest professional standards has been a priority for me as it has been for other members of the Commission. Assuring their maintenance is a continuing commitment of the Commission.

In consolidating agency investigative functions in OI in June 1982, the Commission advised Congress that the new office would "for the time being" report directly to it. In that sense, the status of OI as an office reporting directly to the Commission or indirectly through the Executive Director for Operations has been a matter under continuing review.

The Commission has taken no final action on the issue and would be pleased to discuss it fully with you at our next opportunity.

Sincerely,

Nunzio J. Palladino
Nunzio J. Palladino

cc: Rep. Ron Marlenee

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~~850220433~~

MORRIS K. UDALL, ARIZ. CHAIRMAN

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AND COUNSEL

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ASSOCIATE STAFF DIRECTOR

LEE MCELVAIN
GENERAL COUNSEL

TIMOTHY W. GLIDEN
REPUBLICAN COUNSEL

January 16, 1985

The Honorable Nunzio J. Palladino
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

I was troubled to learn that the Commission may change the status of the Office of Investigations (OI). OI presently reports directly to the Commission.

I am concerned that the proposal to make OI reportable to the Office of the Executive Director for Operations would compromise OI's independent position. As you recall, OI was created in part because of significant deficiencies in NRC Staff investigations such as took place in the Hayward Tyler Pump Company case.

I hope and expect that the Commission will consult with the Congress prior to any further consideration of this matter.

Sincerely,

Ed Markey

EDWARD J. MARKEY
Chairman

Subcommittee on Oversight
and investigations

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

February 6, 1985

L.H.V.

The Honorable John Dingell, Chairman
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Your letter of January 15, 1985 expressed concern about the continuing independence of the Office of Investigations (OI).

Please be assured that the Commission has no desire to undermine the effectiveness or independence of OI. Upgrading NRC's investigative capabilities to the very highest professional standards has been a priority for me as it has been for other members of the Commission. Assuring their maintenance is a continuing commitment of the Commission.

In consolidating agency investigative functions in OI in June 1982, the Commission advised Congress that the new office would "for the time being" report directly to it. In that sense, the status of OI as an office reporting directly to the Commission or indirectly through the Executive Director for operations has been a matter under continuing review.

The Commission has taken no final action on the issue and would be pleased to discuss it fully with the Committee at our next opportunity.

Sincerely,

Nunzio J. Palladino

Nunzio J. Palladino

cc: Rep. James T. Broyhill

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Congress of the United States
House of Representatives
Committee on Energy and Commerce
Room 2125, Rayburn House Office Building
Washington, D.C. 20515

January 15, 1985

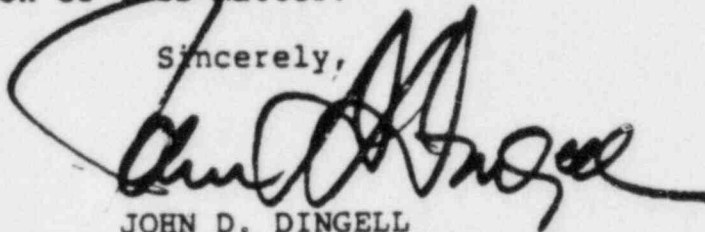
Honorable Nunzio J. Palladino
Chairman
U. S. Nuclear Regulatory Commission
1717 H Street, N. W.
Washington, D. C. 20555

Dear Mr. Chairman:

It has come to my attention that the Commission is considering a proposal to bring the Office of Investigations (OI) under the auspices of the Office of the Executive Director of Operations. OI currently reports directly to the Commission.

I am very concerned about the effect such a change would have on OI's independent status. Consequently, I would request that the Commission consult fully with Congress prior to any further consideration of this matter.

Sincerely,



JOHN D. DINGELL
CHAIRMAN

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PDR/comms/NRCC