

To: All Applicable Licensees

From: U.S. Nuclear Regulatory Commission
Director, Division of Physical and Cyber Security Policy
11545 Rockville Pike
Rockville, MD 20852-2738

Subject: Notice of Criminal History Program Fee Increase

Effective **March 1, 2022**, the fee for processing criminal history fingerprints will increase from \$10.00 to \$35.00 per submission. Information regarding this change can be found at NRC's Criminal History Program public website at <https://www.nrc.gov/security/chp.html> and in the CHP users guide at <https://www.nrc.gov/site-help/e-submittals/criminal-history-user-guide.pdf>.

A Criminal History Records Check is required for a licensee, contractor, applicant, or certificate holder in accordance with NRC regulations and/or Commission Orders to make determinations for those individuals who need unescorted access to a nuclear power reactor, a non-power reactor facility, access to Safeguards Information, and/or unescorted access to Category 1 or Category 2 quantities of radioactive materials. A Criminal History Records Check is used to obtain information on an individual's criminal activity, including charges, arrests, prosecutions, criminal cases, court information, and dispositions of cases. This records check is conducted by capturing an individual's fingerprints, submitted through the U.S. Nuclear Regulatory Commission (NRC) to the Federal Bureau of Investigation (FBI), and compared against those individuals who have criminal records.

Fee Change History

In July 2017, the NRC lowered the fee for Criminal History Record Checks from \$26.00 to \$10.00 to draw down on a surplus balance of fee receipts. The NRC's criminal history program (CHP) costs have historically been fully covered from fees collected. Over the past several years, the surplus balance of CHP funding has been exhausted, and the program is now operating at a deficit.

Pursuant to requirements in the Chief Financial Officers Act of 1990, the NRC conducts biennial reviews of the charges assessed to applicants and licensees for Criminal History Records Checks to assess the suitability of fees to cover both the cost charged by the FBI and the costs of NRC to administer the program. The biennial review completed in fiscal year (FY) 2019, concluded that the current fee of \$10.00 being charged to applicants and licensees was not sufficient to recover the full cost of administering the program and NRC should increase its fee. During FY 2020, the fees charged to applicants and licensees for Criminal History Records Checks were not raised due to the COVID-19 public health emergency and a decision by the NRC to defer the fee increase temporarily.

The last biennial review completed at the end of FY 2021 reaffirmed that the current fee of \$10.00 being charged to applicants and licensees was not sufficient to recover the full cost of administering the program, and the NRC should increase its fee to \$35.00. This fee was the sum of the user fee charged by the FBI (\$11.25 effective January 1, 2019) plus NRC's direct and indirect costs incurred in processing fingerprints.

As a reminder, payment is due upon fingerprint card submission, and the NRC's preferred method of payment is through Pay.gov at <http://www.pay.gov>, which includes payment by debit or credit card or electronic funds transfer (e-check). Access to Pay.gov can be obtained by sending an e-mail to paygo.resource@nrc.gov. Although electronic is preferred, the NRC also accepts cashier checks or money orders made out to the U.S. Nuclear Regulatory Commission. Fingerprint cards along with proof of payment should be sent to:

U.S. Nuclear Regulatory Commission
Director, Division of Physical and Cyber Security Policy
Attn: Criminal History Program/Mail Stop – T-07D04M
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