

FINAL SUPPORTING STATEMENT FOR
NRC FORM 277
"REQUEST FOR VISIT"

(3150-0051)

EXTENSION

DESCRIPTION OF THE INFORMATION COLLECTION

The information collection associated with the U.S. Nuclear Regulatory Commission's (NRC's) Form 277, "Request for Visit," affects any employee of 78 licensees and 7 NRC contractors who: (1) hold an NRC access authorization, and (2) need to make a visit to the NRC, other contractors/licensees or government agencies in which access to classified information will be involved or unescorted area access is desired. The completed NRC Form 277 contains a signature certification of the NRC access authorization and of an official need-to-know. The NRC Form 277 collects the personal information needed to verify the requestor's identity and other relevant information regarding the visit.

The use of NRC Form 277 affords some assurance that only properly cleared and authorized individuals, who require access as a part of their official duties, will have such access during visits to other facilities and agencies. Therefore, the use of the NRC Form 277 benefits the NRC security program and the public at large.

A. JUSTIFICATION

1. Need For and Practical Utility of the Collection of Information

Section 4.2 of Executive Order (E.O.) 12958 states a person may have access to classified information provided that: (1) a favorable determination of eligibility for access has been made by an agency head or the agency head's designee; (2) the person has signed an approved nondisclosure agreement; and (3) the person has a need-to-know the information. Further, Section 4.3 requires agencies to establish controls over the distribution of classified information to assure that it is distributed only to organizations or individuals eligible for access who also have a need-to-know the information.

The use of the NRC Form 277, as cited in NRC Management Directive 12.3, "NRC Personnel Security Program," is applicable to contractors and licensees, and is the method by which the NRC can provide assurance of compliance with the above provisions of E.O. 12958. The NRC Form 277 provides the facility/agency to be visited with verification of the visitor's NRC access authorization and certification of their official need-to-know for the classified information regarding the visit. By requiring the information collection contained on the NRC Form 277, the facility/agency can assure that only properly cleared and authorized individuals will be permitted access during a visit.

2. Agency Use of Information

The NRC Form 277 is forwarded by the contractor/licensee through the appropriate NRC office exercising oversight authority for certification of need-to-know to the NRC's Division of Facilities and Security (DFS). After clearance verification, DFS forwards the completed form to the security office having cognizance over the facility to be visited. The security office of the facility being visited uses the information collected to confirm identity of the visitor and to permit the visitor access to the requested classified information/area. Failure to use the NRC Form 277 by the contractor/licensee may result in denied access to classified information or areas which are necessary in the accomplishment of official duties.

3. Reduction of Burden Through Information Technology

The NRC has issued [Guidance for Electronic Submissions to the NRC](#) which provides direction for the electronic transmission and submittal of documents to the NRC. Electronic transmission and submittal of documents can be accomplished via the following avenues: the Electronic Information Exchange (EIE) process, which is available from the NRC's "Electronic Submittals" Web page, by Optical Storage Media (OSM) (e.g. CD-ROM, DVD), by facsimile or by e-mail. It is estimated that approximately 100% of the responses are filed electronically.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements.

5. Effort to Reduce Small Business Burden

No respondents are small business.

6. Consequences to Federal Program or Policy Activities if the Collection Is Not Conducted or Is Conducted Less Frequently

The frequency of information collection is dependent on the number of visits an individual makes to Government agencies or facilities. In most cases, a less frequent collection would mean eliminating the collection, as visits by contractors, for which the NRC Form 277 would be required, are infrequent. If the information is not collected, access by the visitor to classified information or areas, necessary in the accomplishment of official duties, may be denied.

Further, a reduction in the collection of the information required by the NRC Form 277 would reduce the assurance that only properly cleared and authorized individuals will be permitted access during a visit. Thus, less frequent collection may endanger the United States common defense and national security.

7. Circumstances Which Justify Variation from OMB Guidelines

There are no variations from the OMB Guidelines.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register* on May 16, 2019 (84 FR 22171). Three licensee companies (Urenco, Exelon, and Duke) were contacted and no comments were received in response to these consultations. In addition, three internal respondents were contacted, and one comment was received.

Comment:

Darryl Parson in the Office of Nuclear Security and Incident Response stated, that it is difficult to establish a need to know for licensees based solely on the form.

Response:

The current form was reviewed by the Office of Administration, Personnel Security, and the form is now being modified to include a section for need to know.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b).

NRC Form 277 specifies the use of the individual's name, Social Security Number (SSN), and date and place of birth. This information is necessary to ensure the proper identification of the individual. The use of the SSN is necessary to verify clearance information because of the large number of individuals who have identical names and birth dates, and whose identities can only be distinguished by the SSN. The request for place of birth is necessary to ensure appropriate checks are completed. For citizens born in countries other than the U.S., non-U.S. citizens, and citizens with dual citizenship, additional checks are required to make determinations on an individual's eligibility for access authorization or security clearance.

Personal Information provided on the NRC Form 277 is handled and protected in accordance with NRC directives and provisions of the Privacy Act of 1974, as described in the Privacy Act Statement on the form. Information is maintained in a system of records designated as NRC-39 and described in the Federal Register in NRC's "Republication of Systems of Records Notices" on November 17, 2016 (81 FR 81348).

11. Justification for Sensitive Questions

The NRC does request sensitive information on this form.

12. Estimated Burden and Burden Hour Cost

REPORTING

The \$275 hourly rate used in the burden estimates is based on the NRC's fee for

hourly rates as noted in 10 CFR 170.20, "Average cost per professional staff-hour." For more information on the basis of this rate, see the Revision of Fee Schedules: Fee Recovery for Fiscal Year 2018 (FR 29622, June 25, 2018).

An estimated 10 minutes (based on staff experience) is required to complete each NRC Form 277. The NRC staff estimates that 60 responses will be received annually during the clearance period, resulting in a total annual burden to the public of 10 hours (60 responses X 10 minutes ÷ 60.)

The estimated annual cost is \$2,750 (10 hours X \$ 275 per hour.)

RECORDKEEPING

There are no recordkeeping requirements associated with this information collection.

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

The staff has developed estimates of annualized costs to the Federal Government related to the conduct of this collection of information. These estimates are based on staff experience and subject matter expertise and include the burden needed to review, analyze, and process the collected information and any relevant operational expenses.

It takes NRC staff an estimated 15 minutes per form to process the NRC Form 277. The total cost to process 60 forms is estimated to be \$22,500 (60 forms x 15 minutes x \$275/hr).

15. Reasons for Change in Burden or Cost

There is no change in burden. However, the burden cost for professional staff hours increased from \$268 to \$275 per hour.

16. Publication for Statistical Use

There is no application of statistics in the information collection related to NRC Form 277 and no publication of the information.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed on the form.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.