

FINAL SUPPORTING STATEMENT FOR
NRC FORM 176
"SECURITY ACKNOWLEDGEMENT AND TERMINATION STATEMENT"

(3150-0239)
REVISION

Description of the Information Collection

The reporting requirements associated with the U.S. Nuclear Regulatory Commission (NRC) Form 176, "Security Acknowledgement and Termination Statement," affect the NRC employees, licensees, and contractors who have been granted an NRC access authorization (security clearance). When an applicant requires an NRC access authorization, he/she shall sign the NRC Form 176 prior to access to Restricted Data, Controlled Unclassified Information, and/or Special Nuclear Materials. When the NRC access authorization is no longer required, the employee or contractor acknowledges and accepts his/her continuing security responsibilities, as stated on the NRC Form 176, by signing the form.

NRC Form 176 requires a minimum amount of personal information (e.g., name, date of termination, and last four digits of social security number). The form is countersigned by an Office of Administration, Division of Facilities and Security (DFS) employee, or representative of the licensee or contractor who administered the completion of the form by the employee, licensee, or contractor.

There is no recordkeeping requirement for the NRC employee, licensee, or contractor since the completed NRC Form 176 is to be forwarded to NRC headquarters, DFS for retention in the individual's Personnel Security File (PSF). The established retention period of the PSF is destroyed upon notification of death or 5 years after termination of the last access authorization held.

The use of this form affords some assurance that access to classified information, Restricted Data (as defined by Section 11.y. of the Atomic Energy Act of 1954 (42 U.S.C. § 2014)), Controlled Unclassified Information (as defined by 32 C.F.R. Part 2002 Controlled Unclassified Information), and special nuclear material, as well as the knowledge gained by the respondent, will be properly protected, and therefore, benefits the NRC security program and public at large.

A. JUSTIFICATION

1. Need for and Practical Utility of the Information Collection

Section 4.3 of Executive Order (E.O.) 12958 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. When an applicant requires an NRC access authorization, he/she shall sign the NRC Form 176 prior to access to Restricted Data, Controlled Unclassified Information, and/or Special Nuclear Materials. When an individual with access to classified information, Restricted Data, Controlled Unclassified Information and/or special nuclear material is no longer employed in a position requiring access to such information/material, the NRC will terminate the individual's access authorization in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 25.33 (applicable

to licensees) or in accordance with 10 CFR Part 10 and NRC Management Directive (MD) 12.3, "NRC Personnel Security Program" (applicable to NRC employees and contractors). The NRC Form 176 is an integral part of reminding individuals of their continuing responsibilities after termination of service.

2. Agency Use of Information

As stated in MD 12.3 (for employees and contractors) and in 10 CFR 25.33 (for licensees), the completed NRC Form 176 is to be forwarded by the employee/licensee/contractor to NRC headquarters for use by DFS in connection with the security acknowledgment and termination of the respondent's employment with the NRC. In addition to providing assurance of NRC compliance with E.O. 12958, the NRC Form 176 is the vehicle used by DFS to apprise the individual of his/her continuing responsibilities for protecting classified information, Restricted Data, and Controlled Unclassified Information that he/she had access to, in the course of performing official duties. The individual's signature on this form indicates their acknowledgment/acceptance of these continuing responsibilities.

Failure to use the NRC Form 176 by the licensee/contractor may result in (1) failure to properly investigate an applicant for the appropriate access authorization; (2) failure to terminate the NRC access authorization when circumstances dictate and, therefore, unnecessary continued access to classified information, Restricted Data, and/or Controlled Unclassified Information; and (3) the individual not being apprised of, or officially acknowledging (by signature) his/her continuing responsibilities for protecting classified information, Restricted Data, and/or Controlled Unclassified Information.

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 process, which is available from the NRC's "Electronic Submittals" Web page, by Optical Storage Media (OSM) (e.g. CD-ROM, DVD), or by e-mail. It is estimated that approximately 30 percent 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

The burden associated with this form is minimal. There is no significant burden on a contractor that is a small business enterprise or entity.

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 limited to circumstances when the respondent's NRC service is to be investigated for access authorization and approved access authorization needs to be terminated. In most cases, an individual will need to

sign the NRC Form 176 twice. If the information is not collected, the assurance that only appropriately cleared individuals have access to classified information is reduced. Furthermore, it is likely that individuals will be unaware of their continued responsibility to protect classified information. Thus, less frequent collection may endanger the United States common defense and national security.

7. Circumstances Which Justify Variation from the Office of Management and Budget (OMB) Guidelines

There is no variation from OMB Guidelines in the collection of information.

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 June 6, 2025 ([90 FR 24165](#)).

One response was received from a Licensee Facility Security Officer indicating that Item #10 on Form 176A was inconsistent with NRC Management Directive (MD) 12.3. The original language of Item #10 stated:

"I understand that I am to comply with all reporting requirements. I agree to notify the NRC, Division of Facilities and Security, within 5 days of reportable information as set forth in Security Executive Agent Directive (SEAD 3) or other applicable guidance, including but not limited to, arrests, charges (INCLUDING CHARGES THAT ARE DISMISSED) or detentions by Federal, State, or other law enforcement authorities, for any violation of any Federal, military, State, county, or municipal law, regulation, or ordinance other than minor traffic violations for which a fine of \$150 or less was imposed, occurring during any period in which I may hold NRC security clearance or which occurred subsequent to the completion of Standard Form 86, 'Questionnaire for National Security Positions,' or Standard Form 86C, 'The Standard Form 86 Certification.'"

To ensure alignment with MD 12.3, "Personnel Security Program," the item was revised to read:

"I understand that I must report any criminal conduct, including arrests, charges (even if dismissed), allegations or admissions of criminal conduct, and/or detentions by Federal, State, or other law enforcement authorities for any violation of a Federal, military, State, county, or municipal law, regulation, or ordinance—excluding only minor traffic violations for which a fine of \$300 or less was imposed—that occurs during any period in which I hold an NRC security clearance."

9. Payment or Gift to Respondents

Not Applicable.

10. Confidentiality of the Information

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

Personal information provided on the NRC Form 176 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 "Personnel Security Files and Associated Records" on July 19, 2024 (89 FR 58779).

11. Justification for Sensitive Questions

There is no sensitive information requested on the NRC Form 176.

12. Estimated Burden and Burden Hour Cost

An estimated 12 minutes (based on staff experience) is required to complete each NRC Form 176. The NRC staff estimates that 1,000 responses will be received annually, resulting in a total annual burden to the public of 200 hours (1,000 responses × 12 minutes/60). The estimated annual cost is \$63,400 (200 hours × \$317 per hour).

The \$317 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 hourly rate, see the "Revision of Fee Schedules, Fee Recovery for Fiscal Year 2024" final rule (89 FR 51789; June 20, 2024).

NOTE: There is no record keeping requirement for contractors/licenseses to maintain a copy of the NRC Form 176.

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

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

The estimated annual cost to the Federal Government associated with the NRC Form 176 is \$63,453. The cost was computed as follows:

Total effort 1,000 forms × 12 minutes = 12,000/60 = 200 hours × \$317 (per hour) = \$63,400.00

Annual record holding
(1/4 cubic (cu.) foot (ft.) × \$212/cu. ft.) = \$ 53.00

15. Reasons for Changes in Burden or Cost

NRC Form 176 has added "Controlled Unclassified Information" to the form which increases the number of future users that will need to sign the form before gaining access to sensitive non-classified information. The NRC modified the form to include a print name field in addition to the signature field for clarity. There is no change in the burden required to complete the form.

In response to a comment received from the 60-day comment period, the NRC Form 176A #10 was changed to match the language of the MD 12.3.

The responses increased from 400 responses to 1,000 responses (an increase of 600 responses) and the total burden has increased from 80 hours to 200 hours (an increase of 120 hours). The cost has increased due to a change in the fee rate from \$288 per hour to \$317 per hour.

16. Publications for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed on the form.

18. Exceptions to the Certification Statement

Not Applicable.