

PRIVACY ACT STATEMENT

Pursuant to 5 U.S.C. 552(e)(3), enacted into law by Section 3 of the Privacy Act of 1974 (Public Law 93-579), the following statement is furnished to individuals who supply information to the Nuclear Regulatory Commission (NRC) on NRC Form 176. This information is maintained in a system of records designated as NRC-39 and described at 67 *Federal Register* 63802 (October 15, 2002), or the most recent *Federal Register* publication of the NRC's "Republication of Systems of Records Notices" that is available at the NRC Public Document Room, 11555 Rockville Pike, Rockville, Maryland, or located in NRC's Agencywide Documents Access and Management System (ADAMS).

- 1. AUTHORITY:** 40 U.S.C. 318 (1988); 42 U.S.C. 2165 (1999) and 2201(i) (1992); Executive Order (E.O.) 9397, November 22, 1943; E.O. 10450, April 27, 1953; E.O. 12958, March 28, 2003; E.O. 12968, August 2, 1995; E.O. 10865, February 20, 1960; 10 CFR part 11 (2000); Pub. L. 99-399 (100 Stat. 876) August 27, 1986; OMB Circular No. A-130, November 30, 2000; 5 CFR parts 731 and 732 and authorities cited therein; Pub. L. 99-500 (100 Stat. 1783-335) October 18, 1986.
- 2. PRINCIPAL PURPOSE(S):** To determine your initial or continuing eligibility for NRC access to Restricted Data, National Security Information and other classified information, and unclassified Safeguards Information; or for access to or control over special nuclear material.
- 3. ROUTINE USE(S):** Information in these records may be used by the Division of Facilities and Security and on a need-to-know basis by appropriate NRC officials, Hearing Examiners, Personnel Security Review Panel members, Office of Personnel Management, Central Intelligence Agency, and other Federal agencies to determine clearance or access authorization eligibility; to determine eligibility for access to NRC buildings or access to Federal automated information systems or data; to certify clearance or access authorization; to maintain the NRC personnel security program and to provide licensees criminal history information needed for their unescorted access or access to safeguard information determinations. This information may also be disclosed to an appropriate Federal, State, local or Foreign agency in the event the information indicates a violation or potential violation of law and in the course of an administrative or judicial proceeding. In addition, this information may be transferred to an appropriate Federal, State, local and Foreign agency to the extent relevant and necessary for an NRC decision about you or to the extent relevant and necessary for that agency's decision about you. Information may also be disclosed, in the course of discovery under a protective order issued by a court of competent jurisdiction, and in presenting evidence, to a Congressional office to respond to their inquiry made at your request, or to NRC-paid experts, consultants, and others under contract with the NRC, on a need-to-know basis.
- 4. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL OF NOT PROVIDING INFORMATION:** Disclosure of this information is voluntary; however, if it is not supplied, your access authorization may be delayed or denied.
- 5. SYSTEM MANAGER(S) AND ADDRESS:** Director, Division of Facilities and Security, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

A. SECURITY ACKNOWLEDGMENT

INSTRUCTIONS: APPLICANTS FOR U.S. NUCLEAR REGULATORY COMMISSION (NRC) ACCESS AUTHORIZATION (SECURITY CLEARANCE), COMPLETE THIS SECTION BELOW. APPLICANTS FOR SPECIAL NUCLEAR MATERIAL ACCESS AUTHORIZATION (employees of licensed organizations or other individuals affected by 10 CFR Part 11). COMPLETE ONLY THE SECTION ON THE REVERSE SIDE.

I, _____, in anticipation of my access authorization by the United States Nuclear Regulatory Commission (NRC), make the following statement with the understanding and intent that my statement will be used by the NRC in carrying out its obligation to protect the security of Restricted Data, National Security Information and other classified information, and unclassified Safeguards Information.

1. I understand that it is the policy of the NRC to control the dissemination of Restricted Data, National Security Information and other classified information, and unclassified Safeguards Information in such a manner as to assure the common defense and security.
2. I understand that, in carrying out the aforesaid policy, the NRC has issued and will issue and revise, as circumstances require, certain instructions and regulations pertaining to the control and dissemination of Restricted Data, National Security Information and other classified information, and sensitive unclassified information (e.g., privacy information, Safeguards Information, and proprietary information).
3. I shall not unlawfully reveal to any person any Restricted Data, National Security Information or other classified information, or unclassified Safeguards Information of which I may gain knowledge as a result of my employment, assignment, or duties, except as authorized by law, regulations of the NRC, or in writing by officials of the NRC empowered to grant permission for such disclosure.
4. I am aware that the Atomic Energy Act of 1954, as amended, and U.S. Code, Title 18, "Crimes and Criminal Procedures," prescribe penalties for unauthorized disclosure of Restricted Data, Formerly Restricted Data, unclassified Safeguards Information, and other information relating to the national defense, and for loss, destruction or compromise of such information through gross negligence.
5. I understand that revealing or disclosing Restricted Data, National Security Information or other classified information, or unclassified Safeguards Information to any unauthorized person may constitute sufficient cause for termination of my association with the nuclear regulatory program.
6. I understand that the NRC desires to be informed when persons granted NRC security clearance propose to travel to designated countries. NRC wishes to be advised of such travel in order to inform the individual of the possible risks to personal safety in view of the classified information known to the individual. The NRC's interest in such travel normally diminishes as the period of access to Restricted Data, National Security Information or other classified information becomes more remote. Informing the NRC of travel to designated countries does not apply to individuals who obtain an NRC security clearance and receive access to NRC classified information solely as employees of other Government agencies or their contractors.
7. I am aware that I may be subject to criminal penalties if I make any statement of material facts on my personnel security forms or related information in application for my NRC security clearance knowing that such statement is false or if I willfully conceal any material fact (Title 18, U.S. Code, Section 1001).
8. I understand that I am to notify the NRC, Division of Facilities and Security, within 10 work days of all 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 \$250 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," which I executed on

(insert date)

DATE	SIGNATURE
CITY AND STATE WHERE SIGNED	NAME OF EMPLOYER

B. SPECIAL NUCLEAR MATERIAL ACCESS AUTHORIZATION ACKNOWLEDGMENT

I, _____, in anticipation of my special nuclear material access authorization ("U" or "R") by the United States Nuclear Regulatory Commission (NRC), make the following statement with the understanding and intent that my statement will be used by the NRC in carrying out its obligation to assure the control and safeguarding of special nuclear material in accordance with the terms of the Atomic Energy Act of 1954, as amended. I understand that:

1. It is the policy of the NRC to regulate access to, and provide for control over, special nuclear material in such a manner as to provide high assurance that activities involving such materials are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.
2. In carrying out the aforesaid policy, the NRC has issued, and will issue and revise as circumstances require, certain instructions and regulations pertaining to access to and control of special nuclear material.
3. Any theft or other unlawful diversion of special nuclear material, or any attempt or conspiracy to steal, or unlawfully divert such material, is a criminal violation of the Atomic Energy Act of 1954, as amended, and subject to criminal penalties.
4. I understand that I am to notify the NRC, Division of Facilities and Security, within 10 work days of all 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 \$250 or less was imposed, occurring during any period in which I may hold an NRC special nuclear material access authorization or which occurred subsequent to the completion of Standard Form 86, "Questionnaire for National Security Positions," which I executed on:

_____ .
(insert date)

DATE	SIGNATURE
CITY AND STATE WHERE SIGNED	NAME OF EMPLOYER