

## Nuclear Regulatory Commission

## § 25.39

to, or disclosure of, classified information. All classified visits require advanced notification to, and approval of, the organization to be visited. In urgent cases, visit information may be furnished by telephone and confirmed in writing.

(b) Representatives of the Federal Government, when acting in their official capacities as inspectors, investigators, or auditors, may visit a licensee, certificate holder, or other facility without furnishing advanced notification, provided these representatives present appropriate Government credentials upon arrival. Normally, however, Federal representatives will provide advance notification in the form of an NRC Form 277, "Request for Visit or Access Approval," with the "need-to-know" certified by the appropriate NRC office exercising licensing or regulatory authority and verification of an NRC access authorization by the Division of Facilities and Security.

(c) The licensee, certificate holder, or others shall include the following information on all Visit Authorization Letters (VAL) which they prepare.

(1) Visitor's name, address, and telephone number and certification of the level of the facility security clearance;

(2) Name, date and place of birth, and citizenship of the individual intending to visit;

(3) Certification of the proposed visitor's personnel clearance and any special access authorizations required for the visit;

(4) Name of person(s) to be visited;

(5) Purpose and sufficient justification for the visit to allow for a determination of the necessity of the visit; and

(6) Date or period during which the VAL is to be valid.

(d) Classified visits may be arranged for a 12 month period. The requesting facility shall notify all places honoring these visit arrangements of any change in the individual's status that will cause the visit request to be canceled before its normal termination date.

(e) The responsibility for determining need-to-know in connection with a classified visit rests with the individual who will disclose classified information during the visit. The licensee, certificate holder or other facility shall establish procedures to ensure positive identification of visitors before the disclosure of any classified information.

[62 FR 17689, Apr. 11, 1997, as amended at 64 FR 15649, Apr. 1, 1999]

### VIOLATIONS

#### § 25.37 Violations.

(a) An injunction or other court order may be obtained to prohibit a violation of any provision of:

(1) The Atomic Energy Act of 1954, as amended;

(2) Title II of the Energy Reorganization Act of 1974, as amended; or

(3) Any regulation or order issued under these Acts.

(b) National Security Information is protected under the requirements and sanctions of Executive Order 12958, as amended.

[48 FR 24320, June 1, 1983, as amended at 57 FR 55072, Nov. 24, 1992; 64 FR 15649, Apr. 1, 1999; 70 FR 32227, June 2, 2005]

#### § 25.39 Criminal penalties.

(a) Section 223 of the Atomic Energy Act of 1954, as amended, provides for criminal sanctions for willful violation of, attempted violation of, or conspiracy to violate, any regulation issued under sections 161b, 161i, or 161o of the Act. For purposes of section 223, all the regulations in part 25 are issued under one or more of sections 161b, 161i, or 161o, except for the sections listed in paragraph (b) of this section.

(b) The regulations in part 25 that are not issued under sections 161b, 161i, or 161o for the purposes of section 223 are as follows: §§ 25.1, 25.3, 25.5, 25.7, 25.8, 25.9, 25.11, 25.19, 25.25, 25.27, 25.29, 25.31, 25.37, and 25.39.

[57 FR 55072, Nov. 24, 1992]

APPENDIX A TO PART 25—FEES FOR NRC ACCESS AUTHORIZATION

The NRC application fee for an access authorization of type * * *	Is the sum of the current OPM billing rate charged for an investigation of type * * *	Plus the NRC's processing fee (rounded to the nearest dollar), which is equal to the OPM billing rate for the type of investigation referenced multiplied by * * *
Initial "L" access authorization <sup>1</sup> .....	ANACI—Access National Agency Check with Inquiries (Standard Service, Code B).	11.6%
Initial "L" access authorization <sup>1</sup> (expedited processing).	ANACI—Access National Agency Check with Inquiries (Expedite Handling, Code A).	11.6%
Reinstatement of "L" access authorization <sup>2</sup> ....	ANACI—Access National Agency Check with Inquiries (Standard Service, Code B).	11.6%
Extension or Transfer of "L" access authorization <sup>2</sup> .	ANACI—Access National Agency Check with Inquiries (Standard Service, Code B).	11.6%
Renewal of "L" access authorization <sup>1</sup> .....	ANACI—Access National Agency Check with Inquiries (Standard Service, Code B).	11.6%
Initial "Q" access authorization .....	SSBI—Single Scope Background Investigation (120 Day Service, Code C).	11.6%
Initial "Q" access authorization (expedited processing).	SSBI—Single Scope Background Investigation (35 Day Service, Code A).	11.6%
Reinstatement of "Q" access authorization <sup>2</sup> ...	SSBI—Single Scope Background Investigation (120 Day Service, Code C).	11.6%
Reinstatement of "Q" access authorization <sup>2</sup> (expedited processing).	SSBI—Single Scope Background Investigation (35 Day Service, Code A).	11.6%
Extension or Transfer of "Q" <sup>2</sup> .....	SSBI—Single Scope Background Investigation (120 Day Service, Code C).	11.6%
Extension or Transfer of "Q" <sup>2</sup> (expedited processing).	SSBI—Single Scope Background Investigation (35 Day Service, Code A).	11.6%
Renewal of "Q" access authorization <sup>2</sup> .....	LBI—Limited Background Investigation (120 Day Service, Code C).	11.6%

<sup>1</sup> If the NRC determines, based on its review of available data, that a single scope investigation is necessary, the appropriate fee for an Initial "Q" access authorization will be assessed before the conduct of the investigation.  
<sup>2</sup> Full fee will only be charged if an investigation is required.

[68 FR 62512, Nov. 5, 2003; 68 FR 65765, Nov. 21, 2003]

**PART 26—FITNESS FOR DUTY PROGRAMS**

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APPENDIX A TO PART 26—GUIDELINES FOR DRUG AND ALCOHOL TESTING PROGRAMS

AUTHORITY: Secs. 53, 81, 103, 104, 107, 161, 68 Stat. 930, 935, 936, 937, 948, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2073, 2111, 2112, 2133, 2134, 2137, 2201, 2297f); secs. 201, 202, 206, 88 S at. 1242, 1244, 1246, as amended (42 U.S.C. 5841, 5842, 5846).

SOURCE: 54 FR 24494, June 7, 1989, unless otherwise noted.