

## GENERAL PROVISIONS

**§ 25.1 Purpose.**

The regulations in this part establish procedures for granting, reinstating, extending, transferring, and terminating access authorizations of licensee personnel, licensee contractors or agents, and other persons (e.g., individuals involved in adjudicatory procedures as set forth in 10 CFR part 2, subpart I) who may require access to classified information.

[62 FR 17687, Apr. 11, 1997]

**§ 25.3 Scope.**

The regulations in this part apply to licensees and others who may require access to classified information related to a license or an application for a license.

[62 FR 17687, Apr. 11, 1997]

**§ 25.5 Definitions.**

*Access authorization* means an administrative determination that an individual (including a consultant) who is employed by or an applicant for employment with the NRC, NRC contractors, agents, licensees and certificate holders, or other person designated by the Executive Director for Operations, is eligible for a security clearance for access to classified information.

*Act* means the Atomic Energy Act of 1954 (68 Stat. 919), as amended.

*Certificate holder* means a facility operating under the provisions of parts 71 or 76 of this chapter.

*Classified information* means either classified National Security Information, Restricted Data, or Formerly Restricted Data or any one of them. It is the generic term for information requiring protection in the interest of National Security whether classified under an Executive Order or the Atomic Energy Act.

*Classified National Security Information* means information that has been determined pursuant to E.O. 12958 or any predecessor order to require protection against unauthorized disclosure and that is so designated.

*Cognizant Security Agency (CSA)* means agencies of the Executive Branch that have been authorized by E.O. 12829 to establish an industrial se-

curity program for the purpose of safeguarding classified information under the jurisdiction of those agencies when disclosed or released to U.S. industry. These agencies are the Department of Defense, the Department of Energy, the Central Intelligence Agency, and the Nuclear Regulatory Commission. A facility has a single CSA which exercises primary authority for the protection of classified information at the facility. The CSA for the facility provides security representation for other government agencies with security interests at the facility. The Secretary of Defense has been designated as Executive Agent for the National Industrial Security Program.

*Commission* means the Nuclear Regulatory Commission or its duly authorized representatives.

*L access authorization* means an access authorization granted by the Commission which is normally based on a national agency check and credit investigation (NAC&C) or national agency check, inquiries and credit investigation (NACIC) conducted by the Office of Personnel Management.

*License* means a license issued pursuant to 10 CFR parts 50, 70, or 72.

*Matter* means documents or material.

*National Security Information* means information that has been determined pursuant to Executive Order 12356 or any predecessor order to require protection against unauthorized disclosure and that is so designated.

*Need-to-know* means a determination made by an authorized holder of classified information that a prospective recipient requires access to a specific classified information to perform or assist in a lawful and authorized governmental function under the cognizance of the Commission.

*Person* means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency other than the Commission or the Department of Energy (DOE), except that the DOE shall be considered a person to the extent that its facilities are subject to the licensing and related regulatory authority of the Commission pursuant to section 202 of the Energy Reorganization Act of 1974 and sections 104, 105 and 202 of the Uranium Mill