

NEI 03-01 [Revision 4]

Nuclear Power Plant Access Authorization Program, Supplement 1

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NUCLEAR POWER PLANT ACCESS AUTHORIZATION PROGRAM, SUPPLEMENT 1

1 ADDITIONAL LICENSEE RESPONSIBILITIES

Several elements in the AA CM are applicable only to licensees and are beyond the scope of the industry's Personnel Access Data System (PADS) program. Licensee programs should separately address the following elements of the AA CM.

B.1.1 Special Case Unescorted Access—"Eliminate temporary unescorted access to the facility with the exception of rare circumstances, which shall be reviewed and approved by senior facility management, appropriately documented, and reported to the NRC within 5 business days of the date unescorted access was authorized. Reports should be mailed to the Director, Division of Nuclear Security, Office of Nuclear Security and Incident Response."

- All applicant demographic and initiated AA or FFD elements are to be entered into the PADS system for Special Case Unescorted Access.
- Section B.1.1.e states, "Special case access authorization cannot be transferred or used by another licensee or Contractor/Vendors (C/V) access program, until all investigation elements are completed. The investigation should be completed, even if the individual no longer requires unescorted access." Entries into the PADS system shall be marked as "partial elements" and the "additional information" box checked for any entries made prior to completion of all investigation elements and a UAA/UA determination made.

B.1.3.c "...Licensees should confirm eligibility for employment through U.S. Citizenship and Immigration Service (CIS) and thereby verify and ensure to the extent possible, the accuracy of a social security number of alien registration number..."

- Use of "CIS Save" is a verification of employment eligibility that can be initiated for non-U.S. citizens prior to their arrival at the site.

B.1.3.c.1.(i).B Additional licensee verification of identity guidance.

- This requirement is only applicable at a licensee facility and is not required for verification of identity conducted by approved C/V programs.
- In the event an applicant presents a passport to a licensee as a means of identification, the following passport information shall be electronically transmitted through the PADS system:
 1. Passport Number
 2. Issuing Country of Passport
 3. Expiration Date of Passport
 4. Date of Issuance of Passport
 5. Type/Class Identifier

The presentation of a passport as a means of identification by a foreign national can be expected.

6 PROGRAM ELEMENTS

As part of the reviewing official evaluation, the following additional criteria shall be used as part of the process for making a positive finding of trustworthiness and reliability. This supplements the guidance of Section 6.1 of NEI 03-01. Unclassified guidance is repeated for clarity of the requirements.

6.1 REVIEWING OFFICIAL

In making a trustworthiness or reliability determination, the following shall be considered in conjunction with the specific information obtained during the background investigation and psychological evaluation.

1. Willful omission, deception or falsification of information submitted by the applicant.
2. Illegal sale, use or possession of a controlled substance or alcohol abuse without evidence of rehabilitation.
3. A criminal history without evidence of rehabilitation, which establishes untrustworthiness or unreliability.
4. A history or condition of mental illness, emotional instability or behavioral problems which could impact the applicant's judgment or reliability.
5. Evidence of susceptibility to coercion, influence or pressure that, if applied, might lead the applicant to commit sabotage or other unsafe act.
6. Evidence that an applicant has committed, or has attempted to commit, or has aided or abetted another who committed, or attempted to commit an act of sabotage or other similar act.
7. A psychological evaluation that indicates the applicant is untrustworthy, unreliable, or a potential risk to self or others.
8. Any other adverse information that could adversely impact the trustworthiness and reliability of the applicant.

7 INVESTIGATION ELEMENTS

7.5 CREDIT REPORT REVIEW

Credit history shall be evaluated to determine if patterns are present which would indicate an applicant for unescorted access would be susceptible to coercion, displayed or displays a disregard for meeting obligations which adversely affect trustworthiness or reliability, or is questionably without a credit history when such a credit history would be expected.

When there is no credit record found through typical or normal means, a credit history does not have to be established. However, where a credit history would typically be expected and none is found, the absence shall be thoroughly investigated to convince the reviewing official that the applicant was not taking overt measures to diminish the potential for discovery of an alternate identity.

7.7 CRIMINAL HISTORY INQUIRY

When a licensee or C/V discovers information not provided by the applicant, or is different in any material respect from that information provided by the applicant, the actions taken from these findings shall be documented.

If information discovered by a C/V is different than originally claimed by an applicant, the investigation results shall be provided to the licensee prior to requesting UA.

A record, containing pattern behaviors which would tend to indicate that the behaviors could be expected to recur or continue, or recent behaviors which would cast question on fundamental trustworthiness and reliability, shall be carefully evaluated prior to any authorization of unescorted access.

Licensee's shall resubmit fingerprints when: 1) the FBI has determined the prints cannot be classified due to poor quality in the mechanics of taking the initial impressions, or 2) the initial submission has been lost. Licensees shall review rejected fingerprint summaries from the FBI to determine the reason(s) for the rejection. When a licensee has received a rejection where the rejection code equals "L0116" and the rejection reason equals "Fingerprint pattern(s) not discernable," the licensee must apply the measures provided in the FBI instructions entitled, "Taking Legible Fingerprints" dated January, 2004, or later, regarding occupational hands. The licensee may resubmit the applicant's fingerprints only after retaking these fingerprints. Should the licensee receive a second subsequent rejection of the same type indicated above, the licensee may submit a request for a name check to the NRC. When that search result is received from the FBI no further submission is required. In all other cases the licensee must continue to resubmit freshly taken fingerprints of the applicant, until the applicant's fingerprints can be classified.

9 REINVESTIGATION AND PSYCHOLOGICAL REASSESSMENT

9.1 REINVESTIGATIONS

Licensees shall determine from a review of the credit history, if there are any indications of vulnerability to coercion, or loss of standing with regard to trustworthiness or reliability.