

**Group A**

**FOIA/PA NO: 2016-0008**

**RECORDS BEING RELEASED IN THEIR ENTIRETY**

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Implementing Guidance for Access Authorization  
in Current Threat Environment

(SGI) A. General Basis Criteria

(SGI) 1.1 These compensatory measures (CMs) are established to delineate licensee responsibility in response to the current threat environment presently in existence in the aftermath of the events of September 11, 2001.

(SGI) 1.2 Existing access authorization programs for operating nuclear power reactors shall be enhanced with the following CMs to ensure that such programs support safe operation of the facilities and provide reasonable assurance that individuals granted unescorted access are trustworthy and reliable, and do not constitute an unreasonable risk to the health and safety of the public or the common defense and security, including a potential to commit radiological sabotage.

(U) B. Unescorted Access Authorization Measures

(SGI) 1.1 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.

(SGI) Special Case Unescorted Access

(SGI) a. Special case access authorization may be granted, but only in rare circumstances, and under the following conditions:

- (SGI) 1. Unique or unusual situations where unescorted access would be necessary, but escorting would not be practical, e.g., underwater diving or high radiation area activities where limiting exposure is essential or,
- (SGI) 2. an emergent condition involving access for a limited duration to meet a significant operational or safety need and,
- (SGI) 3. those to be provided unescorted access are to be long-term employees of not less than three continuous years, with specialized credentials for the task to be completed.

(SGI) b. In order to be provided this special case unescorted access, the licensee should take the following actions prior to granting unescorted access:

- (SGI) 1. Verify true identity,
- (SGI) 2. Verify employment and complete a suitable inquiry, or inquiries, for the past year,

in accordance with 10 CFR 73.21 this document has been determined to contain "Safeguards Information"

Ne. Michael L. Purcell Title: Assistant Director  
Organization: NRC/NS/DCS Date: 10/27/07  
Signature: [Signature] Enclosure 4

WARNING: Violation of 10 CFR 73.21 "Requirements for the Protection of Safeguards Information" is subject to "CIVIL and CRIMINAL" Penalties

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Robert L. NORMAN  
SR. Program Mgr. (SFGrd)  
September 20, 2013

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- (SGI) 3. Interview one developed reference.
- (SGI) 4. Complete a psychological evaluation.
- (SGI) 5. Submit fingerprints to the NRC.
- (SGI) 6. Review a credit history for the period covered in the credit report, and
- (SGI) 7. Verify that drug and alcohol test results are negative.
- (SGI) c. Approval would be obtained from senior facility management and appropriately documented to include the rationale for the decision.
- (SGI) d. Documented actions taken by senior management are to be submitted to the Director, Division of Nuclear Security, Office of Nuclear Security and Incident Response, within 5 business days of the special case unescorted access decision.
- (SGI) e. 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.
- (SGI) f. In every case, the reviewing official should conduct an evaluation of suitability for unescorted access, based on an accumulation of information which supports a positive finding of trustworthiness and reliability, prior to granting unescorted access.
- (SGI) 1.2 **Develop access authorization categories for initial unescorted access, updated unescorted access and reinstatement of unescorted access and implement procedures for these categories.**
- (U) Unescorted Access Authorization (UAA)
- (U) a. The requirements for UAA are separated into authorization categories: initial unescorted access authorization, updated unescorted access authorization and reinstatement of unescorted access authorization. The determining factor that differentiates these categories is whether the individual has held UAA, and the elapsed time since the individual last held UAA. The completed UAA elements remain current as long as the individual is maintained under a licensee-approved behavioral observation program (BOP). Once authorized UAA and while under an approved BOP, the individual may be maintained in a UAA-authorized status ready to be granted UA.
- (U) 1. In every case, the reviewing official should evaluate trustworthiness and reliability based on an accumulation of information which supports a positive finding, prior to granting unescorted access. Items to consider include:
- (U) (i) Concurrently with an investigation, the self-disclosed activities of the applicant are evaluated and determined not to have the potential to adversely affect the applicant's trustworthiness or reliability.
- (U) (ii) The reviewing official should evaluate the information collected for consistency and adequacy.

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- 1.3 Ensure persons with unescorted access authorization in a licensee or contractor vendors follow-up program, are identified to enable continued follow-up as appropriate, by any receiving licensee.
- 1.4 Ensure persons potentially affected by any licensee violation of any 10 CFR Part 26 program element are identified to any licensee having taken credit for the activities of the licensee in violation, and to any licensee who may attempt to take credit for the activities of the licensee in violation.
- 1.5 Persons denied access based on NRC requirements shall not be granted access to the protected area at any licensee facilities.
- 1.6 Perform a reinvestigation of all personnel having unescorted access to one or more NRC-licensed facilities who have not had a full background investigation completed within the past 5 years, and at intervals not to exceed every 5 years. *ok*
- 1.7 For individuals performing background investigations, develop, implement, and maintain criteria, consistent with the background investigation requirements for those undergoing background investigations, to ensure that each individual performing background investigations is trustworthy and reliable. *ok*
- 1.8 Enhance the behavioral observation program to ensure that it is designed to recognize behaviors adverse to the safe operation and security of the facility; provide for behavioral observation program training of all employees and contractor/vendors, and document completion of all behavioral observation program refresher training as required by licensee procedures. *ok*
- 1.9 Develop, implement, and maintain an audit program for licensee and licensee-used contractor/vendors access authorization programs that evaluates all program elements and includes an individual knowledgeable in access authorization program performance objectives to assist in overall assessment of program effectiveness. *ok*
- 1.10 Develop, implement and maintain a system for personnel information management with appropriate procedures for the protection of personal, confidential information, including information stored or transmitted in electronic format. This system shall be designed to prohibit unauthorized access to the information and to prohibit modification of data without authorization. *ok*

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Compensatory Measures for Access Authorization  
in Current Threat Environment

A. General Basis Criteria

- 1.1 These compensatory measures (CMs) are established to delineate licensee responsibility in response to the current threat environment presently in existence in the aftermath of the events of September 11, 2001.
- 1.2 Existing access authorization programs for operating nuclear power reactors shall be enhanced with the following CMs to ensure that such programs support safe operation of the facilities and provide reasonable assurance that individuals granted unescorted access are trustworthy and reliable, and do not constitute an unreasonable risk to the health and safety of the public or the common defense and security, including a potential to commit radiological sabotage.

B. Unescorted Access Authorization Measures

- 1.1 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 shall be mailed to the Director, Division of Nuclear Security, Office of Nuclear Security and Incident Response. e/k
- 1.2 Develop access authorization categories for initial unescorted access, updated unescorted access and reinstatement of unescorted access and implement procedures for these categories. e/k
- 1.3 Verify the true identity of applicants for unescorted access through a background investigation covering the past 3 years or since their eighteenth birthday if they are younger than twenty-one years of age. This shall consist of the following items with appropriate actions taken based on the results, prior to granting unescorted access. e/h
  - a) a criminal history review and evaluation of information provided in the records, since their eighteenth birthday; e/h
  - b) a full credit history check, reviewed for the duration provided to identify any adverse patterns which may indicate an absence of trustworthiness or reliability, and to ensure credit checks conducted contain extended inquiries for potential fraud or misuse of social security numbers or other financial identifiers;

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"Requirements for the Protective of  
Safeguards Information" is subject to  
CIVIL and CRIMINAL Penalties

In accordance with 10 CFR 73.21 this  
document has been determined to contain  
"Safeguards Information"  
Name: Michael A. Burton Title: Assistant Director  
Organization: Westinghouse Date: 1/14/02  
Signature: [Signature]

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- c) a review of official identification (e.g., driver's license, passport, government ID, State, Province, or country issued certificate of birth) to compare personal information data provided by the applicant. Licensees should confirm eligibility for employment through INS and thereby verify and ensure to the extent possible, the accuracy of a social security number or alien registration number. In the event the applicant presents a passport to a licensee as a means of identification, the passport shall be photocopied and the photocopy shall be mailed to the Commission.
- d) for initial unescorted access, an investigation of the character and reputation of each applicant through not less than two developed references.

- 1.4 For initial unescorted access, conduct a suitable inquiry and verify employment for the past 3 years with claimed employment periods and review the length and character of employment through these previous employers. Activities during periods of unemployment must be verified through review of official records (e.g., unemployment compensation, union records, etc.) or through references or relatives. Education and military history shall be verified when such histories are in lieu of employment. This verification of education and military history shall cover the past 5 years and past 3 years, respectively. OK
- 1.5 For updated unescorted access, verify employment/unemployment history from the time since last holding unescorted access authorization and review the length and character of employment through claimed employment/unemployment periods. OK
- 1.6 Require initial and updated unescorted access applicants to undergo professionally accepted and standardized psychological evaluations, tailored for use at a licensee facility, to assist in the determination of reliability and trustworthiness. In instances where results of the evaluation identify a psychological abnormality through predetermined cut-off values for each scale used, a clinical interview must be conducted by a licensed psychologist or psychiatrist. OK
- 1.7 Ensure inquiries for reinstatements are conducted with an employer, claimed to be the longest period of employment in each calendar month, where periods of interruption in access authorization have been 31 days or more. OK

C. Access Authorization Program Measures

- 1.1 Develop, implement, and maintain a method to ensure individuals who are in an unescorted access authorization status on the effective date of the Order, are identifiable in a common vehicle, accessible by other NRC-licensed facilities. OK
- 1.2 Develop, implement, and maintain procedural requirements to ensure persons refused access authorization, including any pre-access denial to any one facility during the past 5 years, are identified in a common vehicle except where specifically prevented by State law, to prevent the individuals from gaining access to another licensed facility, without appropriate review. OK

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- (U) (iii) True identity should be evaluated by comparing applicant provided identification and personal history questionnaire data to pertinent information from the background investigation, credit report and other data sources.
- (U) (iv) The reviewing official should determine whether inconsistencies determined through review or investigation, are intentional, innocent, or an oversight. Willful or intentional acts of omission or untruthfulness would be grounds for denial of unescorted access.
- (U) 2. In making a trustworthiness or reliability determination, the following should be considered in conjunction with the specific information obtained during the background investigation and psychological evaluation.
- (U) (i) Willful omission, deception or falsification of information submitted by the applicant.
- (SGI) (ii) Illegal sale, use or possession of a controlled substance or alcohol abuse without evidence of rehabilitation.
- (SGI) (iii) A criminal history without evidence of rehabilitation, which establishes untrustworthiness or unreliability.
- (SGI) (iv) A history or condition of mental illness, emotional instability or behavioral problems which could impact the applicant's judgment or reliability.
- (SGI) (v) Evidence of susceptibility to coercion, influence or pressure that, if applied, might lead the applicant to commit sabotage or other unsafe act.
- (SGI) (vi) 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.
- (SGI) (vii) A psychological evaluation that indicates the applicant is untrustworthy, unreliable, or a potential risk to self or others.
- (SGI) (viii) Any other adverse information that could negatively impact the trustworthiness and reliability of the applicant.
- (U) 3. Subsequent to authorizing UAA or granting UA, a licensee or CV may develop information that questions the continued trustworthiness and reliability of the individual. Such potentially disqualifying information developed by or provided to a CV, should be promptly (on the day of discovery) reported to each licensee where access is active. When so advised, the licensee where the person has active UA, reviews the circumstances, and applies the evaluation criteria used to determine trustworthiness and reliability and determines whether the person continues to be trustworthy and reliable.

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(U)

b. Initial Unescorted Access Authorization

(U)

An initial unescorted access authorization process is completed prior to granting unescorted access for individuals who have never held UAA or have not held UAA within the last three years. Each applicant for initial unescorted access will undergo a background investigation (BI) for the past 3 years (or since the eighteenth birthday if the individual is younger than twenty-one years of age) and as specified herein for specific elements. To ensure each element is current, prior to authorizing UAA or granting UA, the following would be accomplished:

(U)

1. A Personal History Questionnaire (PHQ) and self-disclosure are completed by the individual and provided to the licensee or the licensee's authorized agent.

(U)

2. A verification of the true identity of the applicant.

(U)

3. A verification of the previous three-year employment/unemployment history and complete a suitable inquiry as follows:

(U)

(i) For the most recent year preceding the application, conduct a suitable inquiry on a best effort basis and verify every claimed employment (regardless of the length) and verify each unemployment period of 30 days or more.

(U)

(ii) For the remaining two-years of the required three-year period, conduct a suitable inquiry on a best effort basis and verify the longest claimed period of employment in any calendar month and verify each period of unemployment of 30 days or more.

(U)

4. Conduct a credit history evaluation, for the extent of the credit history disclosed.

(U)

5. Conduct a verification of character and reputation through not less than two developed references.

(U)

6. Conduct a criminal history inquiry, and perform an evaluation of all information returned.

(U)

7. Conduct a psychological evaluation.

(U)

8. Verify that drug and alcohol test results are negative.

(U)

9. In every case, the reviewing official should conduct an evaluation based on an accumulation of information which supports a positive finding of trustworthiness and reliability, prior to granting unescorted access.

(U)

c. Updated Unescorted Access Authorization

(U)

An updated authorization investigation is completed prior to authorizing a UAA for individuals who last held UAA/UA which was terminated under



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favorable conditions more than one year, but less than three years ago" for the date of application for UAA. The following elements are accomplished:

- (U) 1. FIC and self-disclosure filled-out by the individual since last UAA/UA and provided to the licensee or the licensee's authorized agent.
- (U) 2. A verification of the true identity of the applicant.
- (U) 3. A verification of employment/unemployment history since last UAA/UA as follows:
  - (U) (i) For the most recent year preceding the application, conduct a suitable inquiry on a best effort basis and verify every claimed employment (regardless of the length) and verify each unemployment period of 30 days or more.
  - (U) (ii) For the remaining period of greater than one year but less than three years, conduct a suitable inquiry on a best effort basis and verify the longest claimed period of employment in any calendar month and verify each period of unemployment of 30 days or more.
- (U) 4. Conduct a credit history evaluation, for the extent of the credit history disclosed.
- (U) 5. Conduct a verification of character and reputation with not less than two developed references.
- (U) 6. Conduct a criminal history inquiry, and perform an evaluation of all information returned.
- (U) 7. Conduct a psychological evaluation.
- (U) 8. Verify that drug and alcohol test results are negative. No drug and alcohol test is required if the individual was subject to a licensee approved random drug and alcohol testing program throughout the period of interruption, or had negative test results from a drug and alcohol test performed within the last 30 days.
- (U) 9. In every case, the reviewing official should conduct an evaluation based on an accumulation of information which supports a positive finding of trustworthiness and reliability, prior to granting unescorted access.
- (U) d. Reinstatement of Unescorted Access Authorization (31 days to 365 days)
- (U) A reinstatement of unescorted access authorization is completed for individuals who last held UAA/UA which was terminated under favorable conditions within the past 365 days. Items 1 through 8 below are accomplished prior to reinstatement. Items 4 and 5 may be accomplished following reinstatement, within the limits established.
- (U) 1. A verification of the true identity of the applicant.

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- (U) 2. A PHQ and self-disclosure filled-out by the individual covering the period of time since last UAA/UA, and provided to the licensee or the licensee's authorized agent.
- (U) 3. Concurrently, the self-disclosed activities should be evaluated prior to reinstatement and determined not to have the potential to negatively affect the applicant's trustworthiness or reliability.
- (U) 4. A verification of employment/unemployment history since last UAA/UA. Within 5 business days complete a suitable inquiry on a best effort basis and verify the longest claimed period of employment in each calendar month. Verify unemployment periods of 30 days or more. The objective is to have completed the suitable inquiries and employment verifications within 5 business days. However, if the suitable inquiry and employment verifications have not been completed within five business days and if the licensee is aware of no potentially disqualifying information regarding the individual during the past five years, then the individual's unescorted access may be maintained for a period not to exceed 5 additional days. The licensee should administratively withdraw unescorted access if the suitable inquiry and employment verifications have not been fulfilled at the conclusion of the extension period. Licensees should ensure there is no disclosure of any administrative action taken, except to a licensee or OIV attempting to complete any unfulfilled suitable inquiry or employment verification.
- (U) 5. Verify that the results of an alcohol test are negative and collect a specimen for drug testing before granting unescorted access. Verify that drug test results are negative within five business days of collection. In the event the drug test results have not been returned within 5 business days, the licensee should administratively withdraw unescorted access until the drug test results are confirmed. No drug or alcohol test is required if the individual was subject to a licensee approved random drug and alcohol testing program throughout the period of interruption, or had a negative test results from drug and alcohol tests performed within the last 30 days.
- (U) 6. In every case, the reviewing official should conduct an evaluation based on an accumulation of information which supports a positive finding of trustworthiness and reliability, prior to granting unescorted access.
- (U) e. Reinstatement of Unescorted Access Authorization (30 days or less)
- (U) A reinstatement authorization is completed prior to authorizing a reinstatement UAA/UA, for individuals who last held UAA/UA that was terminated under favorable conditions within the past 30 days. The following elements are accomplished:
  - (U) 1. A verification of the true identity of the applicant.
  - (U) 2. Individual completes a self-disclosure since last UAA/UA and provides the disclosure to the licensee. No self-disclosure is required if the individual

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was subject to a licensee approved behavior observation and arrest reporting program, throughout the period of interruption.

- (U) 3. In every case the reviewing official should conduct an evaluation based on an accumulation of information which supports a positive finding of trustworthiness and reliability, prior to granting unescorted access.
- (U) f. Maintaining Unescorted Access Authorization
- (U) 1. UAA is maintained as long as the individual is covered by a licensee approved behavior observation program (BOP). If a period of interruption of greater than 30 days occurs, UAA should be withheld until requirements for UAA are made current. In addition, individuals must complete required training on their responsibilities for remaining trustworthy and reliable, for both the access authorization program including arrest reporting requirements, and the fitness-for-duty program.
- (SGI) 1.3 Verify the true identity of applicants for unescorted access through a background investigation covering the past 3 years or since their eighteenth birthday if they are younger than twenty-one years of age. This shall consist of the following items with appropriate actions taken based on the results, prior to granting unescorted access:
- (SGI) a. a criminal history review and evaluation of information provided in the records, since their eighteenth birthday.
- (U) 1. Criminal History
- (U) The licensee's reviewing official is required to evaluate criminal history record information (CHRI) pertaining to an applicant as required by 10 CFR § 73.57. The criminal history records check is used as an evaluative measure to assist in the determination of whether the applicant has a record of criminal activity that may adversely impact on his or her trustworthiness and reliability. Each evaluation conducted in review of criminal history information, should be documented to include the decision making basis.
- (SGI) (i) 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 should be documented. If information discovered by a C/V is different than originally claimed by an applicant, the investigation results should be provided to the licensee prior to requesting UAA.
- (SGI) (ii) 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, should be carefully evaluated prior to any authorization of unescorted access.
- (U) (iii) Each evaluation conducted in review of criminal history information, should be documented to include the decision making basis. If information discovered by a C/V is different than originally claimed

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by an applicant, the investigation results should be provided to the licensee prior to requesting UAA.

(SGI)

(iv) Only under two conditions, will it be necessary for a licensee to resubmit fingerprints: 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. If the FBI advises that the fingerprints are unclassifiable, based on conditions other than poor quality, the licensee must submit a request for a name and date of birth search. When that search result is received from the FBI no further submission is required.

(U)

(v) Licensees need not fingerprint applicants who have "Q" or "L" clearances or have another active government granted security clearances, i.e., Top Secret, Secret or Confidential. Clearance confirmations should be received from the sponsoring agency or facility and not hand carried by the applicant.

(SGI)

b. a full credit history check, reviewed for the duration provided to identify any adverse patterns which may indicate an absence of trustworthiness or reliability, and to ensure credit checks conducted contain extended inquiries for potential fraud or misuse of social security numbers or other financial identifiers;

(U)

1. Credit History

(U)

(i) A credit history check provides information to be used with other BI information in the evaluation of an applicant's reliability and trustworthiness. Credit checks are typically conducted through a national credit-reporting agency, reviewed for the duration of history provided and must contain an inquiry to detect potential fraud or misuse of social security numbers or other financial identifiers.

(SGI)

(ii) Credit history should 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.

(U)

(iii) Data produced in the credit report should be compared to information offered in the applicant's PHQ to further validate employment and residence as indicated by the applicant. Licensees or C/As should ensure the information provided by the credit reporting agency or source, is consistent with the data provided by the applicant. In cases where a discrepancy exists, further evaluation is required. Poor repayment data alone would typically not be disqualifying. However, when considered in context, or with the other information, there are indications of a potential lack of integrity such that trustworthiness and reliability cannot be assured, then denial of access should be considered.

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(SFI)

(iv) 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 would 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.

(U)

(v) For workers with a residence of record from foreign countries during the period of employment history being reviewed, a financial responsibility inquiry is required. If no routinely accepted credit reporting mechanism is available in the applicant's country of record, a statement of responsibility concerning the individual's financial record from an entity within the country of record is acceptable.

(SFI)

b. a review of official identification (e.g., driver's license, passport, government ID, State, Province, or country issued certificate of birth) to compare personal information data provided by the applicant. Licensees should confirm eligibility for employment through INS and thereby verify and ensure to the extent possible, the accuracy of a social security number or alien registration number. In the event the applicant presents a passport to a licensee as a means of identification, the passport shall be photocopied and the photocopy shall be mailed to the Commission.

(U)

1. Verification of Identity

J)

(i) The verification of true identity is to assure that the applicant being processed for UAA is, in fact, the person he or she purports to be. The licensee or CV should verify identity by comparing:

(U)

A. Official photo identification (e.g., driver's license; passport; government identification; State, Province, or country issued certificate of birth; etc.) with physical characteristics of the applicant.

(SFI)

B. In the event the applicant presents a passport to a licensee as a means of identification, the passport photocopy should be mailed overnight special delivery to:

Director,  
Division of Nuclear Security  
Nuclear Security and Incident Response  
Two White Flint North T-4D8  
11545 Rockville Pike  
Rockville, MD 20852-2738

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SGI) ~~ii.~~ for initial unescorted access - an investigation of the character and reputation of each applicant through not less than two developed references.

(U) 7. Character and Reputation

(U) (i) The character and reputation of an applicant is ascertained by conducting reference checks with co-workers, neighbors, and friends. The reference checks focus on emotional stability, trustworthiness and reliability.

(U) (ii) To ensure that a broad overview of the period under investigation is covered, persons used to verify employment/unemployment information cannot be used as a character reference for purposes of this check.

(U) A. The applicant's reputation for emotional stability, reliability and trustworthiness are examined through interview with at least two developed references. Typically, these references are developed through contact with one or more of the references listed by the applicant. Developed references can be established using information provided on the RHQ, past or present employers, schools, neighborhoods, co-workers, clubs, churches, etc.

(U) B. An individual used as a developed reference cannot be a known close relative (i.e., wife, husband, mother, father, brother, sister, or child) of the applicant. A developed reference cannot live in the same permanent household as the applicant, a listed reference or another developed reference. Persons used as a character reference may not be used to verify employment or unemployment.

(U) C. Knowledge of the applicant over the entire three-year retrospective period is not necessary. The reference's (individual or collective) association with the applicant should be substantive enough to be able to provide meaningful information. At a minimum, the reference will have known the applicant for not less than six months, and had at least one contact with the applicant in the last six months.

(U) D. Records of developed reference checks need to include the name and address of the personal reference, the length of time known, the frequency and type of association, any adverse or discrepant information, date of the contact, the name of the investigator conducting the interview, and the name and phone number of the source used to obtain the developed reference's name.

(U) E. References are to be questioned regarding whether they are aware of issues relating to, or indications by the applicant of:

(U) 1) Behavioral/psychological problems;

(U) 2) Unlawful/criminal activities;

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- (U) 3) Illegal use, sale, or possession of a controlled substance
- (U) 4) Abuse of alcohol, prescription or over-the-counter drugs;
- (U) 5) Susceptibility to coercion or bribery; and
- (U) 6) Any other conduct relating to an assessment of potential untrustworthiness and/or unreliability.

(SGI) 1.4 For initial unescorted access, conduct a suitable inquiry and verify employment for the past 3 years with claimed employment periods and review the length and character of employment through these previous employers. Activities during periods of unemployment must be verified through review of official records (e.g., unemployment compensation, union records, etc.) or through references or relatives. Education and military history shall be verified when such histories are in lieu of employment. This verification of education and military history shall cover the past 5 years and past 3 years, respectively.

(U) a. Personal History Questionnaire (PHQ)

(U) 1. Each applicant for unescorted access should be required to complete a PHQ covering the personal information for the period needed to complete the background investigation (BI) and suitable inquiry elements. Each applicant should provide a self-disclosure of criminal history since the eighteenth birthday or last UAA if terminated favorably within the past three years. For the required period, the applicant must include a detailed description of each identified event.

(U) b. Employment/Unemployment History

(U) 1. Best effort

(U) (i) Best effort is satisfied under the following conditions:

(U) A. A company, previous employer or educational institution to which a request for information has been directed refuses to provide information and this refusal is documented in the licensee or CV record of investigation.

(U) B. A company, previous employer or educational institution to which a request for information has been directed indicates an inability or unwillingness to provide information within three business days and this inability or unwillingness is documented in the licensee or CV record of investigation.

(U) C. In the event of A. or B. above, the licensee or CV should obtain a confirmation of employment or educational enrollment from at least one alternate source, with related questions answered to the best of the ability of the alternate source. This alternate source should not have been previously used as a developed reference.

(U) (ii) If an employer is unable or refuses to provide employment information and a request for information has been initiated and documented, one of the following secondary sources provided by the applicant or agent

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of the applicant, may be used to develop the length and/or nature of claimed employment:

- (U) A. Pay stubs, W2 form, wage & benefit statement, or business records confirming periods of employment.
  - (U) B. Union contribution records used in determination of employee retirement benefits.
  - (U) C. References.
  - (U) D. Activities during periods of unemployment of 30 days or more may be verified through references or relatives.
2. Verify employment/unemployment history for the past three-year period or since last UAA as follows:
- (U) (i) For initial unescorted access, the licensee or D/V would verify employment/unemployment periods for the past three years prior to granting UAA/UA. For updated (> than 365 days but less than 3 years) or reinstated (31-365 days) unescorted access, the verification period is since last UAA/UA was held.
  - (U) (ii) For periods when the applicant was on active military duty or enrolled as a student in lieu of employment, complete military service as employment, or education in lieu of employment.
  - (U) (iii) The licensee would verify the length and nature of employment through contacts with previous employers on a best effort basis to achieve an accumulation of information which supports a finding of trustworthiness and reliability to obtain unescorted access, by having the following aspects of the employment relationship investigated:
    - (U) A. Dates of employment periods;
    - (U) B. Reason for termination and eligibility for rehire, and
    - (U) C. Any disciplinary history or other information that could impact the trustworthiness/reliability decision for UAA.
    - (U) D. Periods of self-employment may be verified by any reasonable method, usually one of the following:
      - (U) 1) Self-employment tax records
      - (U) 2) Bookkeeper or accountant
      - (U) 3) Client(s)
      - (U) 4) Employee(s)
      - (U) 5) Reference(s)
      - (U) 6) Co-worker(s)
      - (U) 7) Relatives may be used after the other methods, 1) through 6) above, have been unsuccessful in providing the



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Information needed to verify the self-employment claim.  
The specifics of the effort must have been documented  
prior to using relatives.

- (U) c. Military Service as Employment
- (U) When an active military service period is contained within the individual's background during the past three-year period or since last UAA, the following verification of military service should be conducted prior to authorizing unescorted access:
  - (U) 1. Contact the most recent duty station to verify the period and character of service, and ask the same questions as would be asked of any previous or current civilian employer.
  - (U) 2. If the veteran's last duty station cannot provide the information as stated above, the licensee may accept a hand carried copy of the DD 214 (or equivalent for foreign military service) presented by the veteran, which on its face appears legitimate.
    - (U) (i) If the reviewing official determines the hand carried copy of the DD 214, or equivalent appears to have been altered in any way, the licensee should withhold unescorted access until a certified copy of the veteran's DD 214 or equivalent, can be obtained from a custodian of military records.
  - (U) 3. Where (1) and (2) above cannot be satisfied, a copy of the veteran's DD 214 or equivalent, obtained from a custodian or military records, would be necessary to satisfy the requirement for verification of military service.
- (U) d. Education in lieu of Employment
- (U) 1. Verify education history for any claimed enrollment in lieu of employment during the past five-year period or since the last UAA. The type of information normally requested from an employer should be requested from the educational institution. If the educational institution will not release the requested information, this refusal should be documented and an alternate source may be used to verify the applicant was actively participating in the educational process.
- (SGI) 1.5 For updated unescorted access, verify employment/unemployment history from the time since last holding unescorted access authorization and review the length and character of employment through claimed employment/unemployment periods.
- (U) a. Licensees should apply the guidance provided above in 1.2 c.

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(SGI) 1.6 Require initial and updated unescorted access applicants to undergo professionally accepted and standardized psychological evaluations, tailored for use at a licensee facility, to assist in the determination of reliability and trustworthiness. In instances where results of the evaluation identify a psychological abnormality through predetermined cut-off values for each scale used, a clinical interview must be conducted by a licensed psychologist or psychiatrist.

(U) a. Psychological Evaluation

(U) 1. The licensee or CM should require each initial and updated unescorted access applicant to undergo a professionally-accepted psychological evaluation, tailored for use at licensee facilities, to assist in the determination of reliability and trustworthiness. Predetermined cut-off values for each scale are used to determine if a clinical interview should be conducted by a licensed psychologist or psychiatrist to assess the applicant's emotional stability, trustworthiness and reliability.

(U) 2. In addition, if the licensee develops other relevant information the licensee may request a clinical interview to assess whether the individual would be considered trustworthy and reliable. Clinical interviews are done under professionally accepted conditions, not necessarily in a physical face-to-face situation. The result of such an interview is documented and includes the date, results, name and qualification of the individual conducting the interview.

(SGI) 1.7 Ensure inquiries for reinstatements are conducted with an employer, claimed to be the longest period of employment in each calendar month, where periods of interruption in access authorization have been 31 days or more.

(U) a. Licensees should apply the guidance provided in 1.2 d.

(U) C. Access Authorization Program Measures

(SGI) 1.1 Develop, implement, and maintain a method to ensure individuals who are in an unescorted access authorization status on the effective date of the Order, are identifiable in a common vehicle, accessible by other NRC licensed facilities.

(U) a. Licensees should ensure every person who currently has unescorted access, and those who formally apply for unescorted access are included in the established method.

(U) b. Licensees should ensure all transaction and decision date values, at a minimum, required to support an unescorted access decision for all persons who hold unescorted access authorization on the effective date of this order, are included in the method and identifiable by any licensee.

(U) c. Licensees should ensure the demographic information of any person formally applying for unescorted access authorization to a licensee facility, is added to or updated in the method.

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- (SGI) 1.2 Develop, implement, and maintain procedural requirements to ensure persons refused access authorization, including any pre-access denial to any one facility during the past 5 years, are identified in a common vehicle except where specifically prevented by State law, to prevent the individual from gaining access to another licensed facility, without appropriate review.
- (U) a. Licensees should ensure those persons denied unescorted access since January 1, 1997, are identifiable by other licensees through the method established in CM C.1.1 above.
- (U) b. Licensees should ensure that any pertinent information regarding a denial of unescorted access to any person since January 1, 1997, has been identified and is recorded.
- (SGI) 1.3 Ensure persons with unescorted access authorization in a licensee or contractor/vendors follow-up program, are identified to enable continued follow-up as appropriate, by any receiving licensee.
- (U) a. Licensees should include the follow-up information regarding all persons in an unescorted access authorization status, including the date the follow-up commenced and the date the follow-up is expected to end, is identified in the method established in CM C.1.1.
- (SGI) 1.4 Ensure persons potentially affected by any licensee violation of any 10 CFR Part 26 program element are identified to any licensee having taken credit for the activities of the licensee in violation, and to any licensee who may attempt to take credit for the activities of the licensee in violation.
- (U) a. Licensees should ensure that any violation of a 10 CFR Part 26 program element at one licensee is identifiable to all licensees, to the extent that, at the time of the discovery, persons holding unescorted access who were the subject of or included in any program element violation at any licensee, are identified by that licensee, to any licensee where that person holds unescorted access.
- (SGI) 1.5 Persons denied access based on NRC requirements shall not be granted access to the protected area at any licensee facilities.
- (U) a. Persons currently denied access at a licensee facility will not be allowed in the protected area of any licensee facility, except under the following conditions:
- (U) (1. The denying licensee reviews the access decision and determines after further review, that an unescorted access authorization is appropriate.
- (U) 2. Another licensee reviews the conditions under which the denying licensee made the denial decision, and determines the individual is now trustworthy and reliable and fit for duty, and that unescorted access would be appropriate at the current licensee site.

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- (SGI) 1.6 Perform a reinvestigation of personnel having unescorted access to one or more NRC-licensed facilities who have not had a full background investigation completed within the past 5 years, and at intervals not to exceed every 5 years.
- (U) a. Each licensee or C/M as appropriate, should conduct a reinvestigation of all personnel holding unescorted access, where the period since the last investigation is greater than five years. Licensees shall conduct a periodic reinvestigation of all persons with unescorted access at intervals not to exceed five years.
- (U) b. The reinvestigation conducted would include a review of criminal history records obtained as provided in 10 CFR Part 73.57, or as the Commission may require or as Federal statute may direct.
- (U) c. Licensees should compare data returned through meeting the requirements of 1.6 b., with the access authorization records of the person named in the record, to ensure the person has complied with self-reporting requirements.
- (U) d. Licensees should obtain a credit history and review the history for the period provided.
- (SGI) e. Licensees should 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.
- (U) f. Reinvestigations can be spread out over a period of no more than one year from the implementation date of these requirements. Submissions of fingerprints for review of criminal history information should be handled separately from investigations for outage staffing, to preclude inadvertent outage staffing delays.
- (U) g. Licensees would be expected to take appropriate action if disqualifying information is discovered during any reinvestigation review.
- (SGI) 1.7 For individuals performing background investigations, develop, implement, and maintain criteria, consistent with the background investigation requirements for those undergoing background investigations, to ensure that each individual performing background investigations is trustworthy and reliable.
- (U) a. Requirements for Background Screeners
- (U) 1. Licensees and C/Ms who use persons not directly under their control to collect and process information that will be used by the reviewing official to make access determinations are to be known to be trustworthy and reliable. The requirements are to be included in the contract for the work. As a minimum, the following checks are required:
- (U) (i) Verification of identity
- (U) (ii) A local criminal history check at the location of the individual's permanent residence.
- (U) (iii) A credit check.

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- (U) (iv) An employment check for the past three years.
- (U) (v) Interview two developed references
- (SBI) 1.8 Enhance the behavioral observation program to ensure that it is designed to recognize behaviors adverse to the safe operation and security of the facility; provide for behavioral observation program training of all employees and contractor/vendors, and document completion of all behavioral observation program refresher training as required by licensee procedures.
- (U) a. Behavioral Observation Program
- (U) 1. The licensee's or CN's licensee-approved behavioral observation program (BOP) is the primary means for determining continued trustworthiness and reliability of covered individuals. The objective of the BOP is to detect illegal drug use, alcohol/legal drug abuse and other behavior that may constitute an unreasonable risk to the health and safety of the public, including a potential threat to commit radiological sabotage. To maintain UAA/UA, individuals are covered by a BOP having the following features:
- (U) 2. A training program that results in reasonable assurance that licensee and CN personnel have sufficient awareness and sensitivity to detect degradation in performance which may be the result of being under the influence of any substance, legal or illegal, physical or mental impairment which in any way may adversely affect their ability to safely and competently perform their duties, with an expectation of promptly reporting noticeable changes in behavior to the licensee's or CN's management for appropriate evaluation and action. The program must also provide for training in techniques related to recognition of behaviors adverse to the safe operation and security of the facility, e.g., unusual interest in or predisposition towards security or operations activities outside the scope of ones normal work assignments, or frequent unexplained absence from work assignments. Individuals will be trained to the supervisory level on their responsibilities for remaining trustworthy and reliable. Completion of all behavioral observation program training should be documented as required by licensee procedures.
- (U) 3. Management personnel are responsible for:
- (U) (i) Observing personnel for behavioral traits and patterns that may reflect adversely on their trustworthiness or reliability;
- (U) (ii) Awareness of behaviors that might be adverse to safe operation, and
- (U) (iii) Reporting those observations to appropriate licensee or CN management.
- (U) 4. An arrest-reporting program that requires individuals with UAA/UA to report any arrests, criminal charges, convictions or proceedings that may impact upon his or her trustworthiness or reliability. The individual should be notified in writing of his or her responsibility to make this report. The licensee or CN should provide sufficient guidance in the written

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notification so that an individual's reporting responsibility is clear, including a warning that failure to report as required could result in the denial of UAA and UA. Individuals are responsible for complying with the written notification.

- (U) 6. Although the behavioral observation program is the primary methodology for determining continued trustworthiness and reliability, clinical interviews may be used to provide added assurance.

- (SGI) 1.9 Develop, implement, and maintain an audit program for licensee and licensee-used contractor/vendors access authorization programs that evaluates all program elements and includes an individual knowledgeable in access authorization program performance objectives to assist in overall assessment of program effectiveness.

(U) a. Audits

- (U) 1. Audits are required to be conducted of licensee and CN UAA programs and specified sub-contractors. A member of the audit team should be a person knowledgeable and practiced in access authorization to validate that overall program performance is meeting the objective of screening applicants to provide reasonable assurance that there are no security deficiencies that might allow other than trustworthy and reliable people into the plant.

- (SGI) 1.10 Develop, implement, and maintain a system for personnel information management with appropriate procedures for the protection of personal, confidential information, including information stored or transmitted in electronic format. This system shall be designed to prohibit unauthorized access to the information and to prohibit modification of data without authorization.

(U) a. Records and Protection of Information

- (U) 1. Licensees and/or their CNs who implement UAA programs in accordance with these criteria should retain the records on which the access authorization is based or denied for the duration of the UA and for five years following access denial or access termination from the authorizing licensee's program.

- (U) 2. An individual who evaluates personal information for the purpose of processing applicants for UAA/UA, or who has unfettered access to the files and records of persons applying for or holding unescorted access, or who is responsible for data management upon which unescorted access decisions may be based, and is not already covered by the access authorization program should meet the licensee standards for trustworthiness and reliability acceptable for the access authorization program.

- (U) 3. Licensees and CNs should establish procedures for the protection of the personal information including personal information stored in electronic format. This information must not be disclosed to unauthorized persons. The following are considered authorized:

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