

Background of NRC Mock Adversary Force (MAF)

Section 170D of the Atomic Energy Act of 1954, as amended (AEA) requires, in part, that “Not less often than once every 3 years, the Commission shall conduct security evaluations at each licensed facility that is part of a class of licensed facilities, as the Commission considers to be appropriate, to assess the ability of a private security force of a licensed facility to defend against any applicable design basis threat.” Section 170D further requires that:

- (1) The security evaluations shall include force-on-force (FOF) exercises.
- (2) The FOF exercises shall, to the maximum extent practicable, simulate security threats in accordance with any DBT applicable to a facility.
- (3) In conducting a security evaluation, the Commission shall mitigate any potential conflict of interest that could influence the results of an FOF exercise, as the Commission determines to be necessary and appropriate.

In SRM-SECY-03-0208, the Commission approved the staff’s recommendation to establish adversary force standards and guidelines for the industry to select and train a pool of mock adversary personnel for use in FOF exercises.¹ These standards and guidelines were proposed for a single mock adversary force (MAF) in order to provide consistency during FOF exercises. Subsequent to this direction, the industry contracted with Wackenhut Corporation (now G4S Security Solutions) to provide the Nuclear Energy Institute (NEI)-managed Composite Adversary Force (CAF).

The selection of Wackenhut to provide the CAF generated controversy among public interest groups and some members of Congress, who argued that a conflict of interest would exist because the same company would be providing both the adversaries and the defending security forces at many sites.² In October 2004, the NRC responded publicly to these concerns, noting that the Commission had “directed the staff to ensure that there would be a separation of functions, including appropriate management and administrative controls in place within the Wackenhut organization to provide adequate independence between the CAF and the nuclear reactor security force.”³ The NRC’s response further noted that NEI had “committed to the NRC that: (a) the manager of the CAF will report directly to the Chief Executive Officer for Wackenhut; (b) CAF members will be selected from all sites, including those where security is provided by Wackenhut’s competitors; and (c) a CAF member will not participate in exercises at his or her home site.” Finally, the response emphasized the role of the NRC in independently evaluating the exercises, and stated that “[a]ny indication that CAF members are not performing objectively and rigorously in their roles will be promptly identified and addressed by the NRC.”

In 2006, the Office of the Inspector General (OIG) examined the NRC’s actions to develop the adversary force.⁴ The OIG report concluded that “NEI and Wackenhut took reasonable steps to

¹ See SECY-03-0208, “Adversary for Force-on-Force Exercises at NRC Licensed Facilities,” dated December 3, 2003 (ADAMS Accession No. ML051020052).

² See: Letter from Danielle Brian, Project on Government Oversight, dated July 30, 2004 (ADAMS Accession No. ML042170182); Letter from Rep. Edward Markey, dated August 23, 2004 (ADAMS Accession No. ML042430401); Letter from Jim Roccio, Greenpeace, et al., dated October 20, 2004 (ADAMS Accession No. ML043060258); Homeland Security: Monitoring Nuclear Power Plant Security: Hearing before the Subcommittee on National Security, Emerging Threats and International Relations of the House Committee on Government Reform, 108th Congress (2004).

³ NRC Response to Letters to NRC Chairman Nils J. Diaz regarding Security at Nuclear Power Plants, October 2004 (ADAMS Accession No. ML050660473).

⁴ OIG, Special Inquiry, “NRC’s Oversight of the Force-on-Force Program,” Case No. 05-01S, May 1, 2006 (ADAMS Accession No. ML061290319).

mitigate the potential conflict between the Wackenhut guard forces and the Wackenhut adversary force,” but that “despite (1) the steps taken by NEI; (2) the commitments by Wackenhut to address the perceived conflict; and (3) [the Office of Nuclear Security and Incident Response’s (NSIR)] efforts to maintain control over the FOF inspection schedule, plan, and process, it was not possible to guarantee complete separation between the Wackenhut security guard forces and the Wackenhut mock adversary force members.”

In response to these concerns, the staff assessed several alternatives to the NEI-managed CAF for providing a credible, well-trained, and consistent mock adversary force to challenge facility readiness to protect against the DBT. The staff recommended maintaining the existing arrangement because the staff determined that the cost associated with taking additional steps to eliminate the possible perception of a conflict of interest was far greater than the cost associated with addressing concerns about the appearance of a conflict of interest that might be raised from time to time.⁵ The decision to utilize the industry-provided CAF was reaffirmed in SRM-SECY-08-0007.⁶ SRM-SECY-08-0007 also directed the staff to continue to assess the performance of the CAF. If the CAF capabilities or performance were to decline below NRC requirements or expectations, the staff was directed to advise the Commission and provide a recommendation for an alternative option to staff the CAF. To date, there has been no indication of an actual conflict of interest regarding the NEI-managed CAF.

⁵ See SECY-08-0007, “Composite Adversary Force Options,” dated January 14, 2008 (ADAMS Accession No. ML073090418; not publicly available).

⁶ See SRM-SECY-08-0007 “Composite Adversary Force Options,” dated August 1, 2008 (ADAMS Accession No. ML082140864; not publicly available)