

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
OFFICE OF NUCLEAR SECURITY AND INCIDENT RESPONSE
WASHINGTON, DC 20555-0001

February 2, 2026

**NRC REGULATORY ISSUE SUMMARY 2026-01
PERSONNEL ACCESS AUTHORIZATION REQUIREMENTS FOR NON-IMMIGRANT
FOREIGN NATIONALS WORKING AT NUCLEAR POWER PLANTS**

ADDRESSEES

All holders of and applicants for a power reactor operating license under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities."

All holders of and applicants for a power reactor early site permit or combined license under 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants."

INTENT

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to remind licensees of the requirement in 10 CFR 73.56(d)(3), "Verification of true identity," that—prior to granting or reinstating unescorted access (UA) or certifying unescorted access authorization (UAA) to non-immigrant foreign nationals for the purpose of performing work—licensees shall validate that the foreign national's claimed non-immigration status is correct. This validation process is important to ensure that individuals to whom a licensee intends to grant UA or certify UAA to nuclear power plant protected or vital areas are trustworthy and reliable, such that they do not constitute an unreasonable risk to public health and safety or the common defense and security, including the potential to commit radiological sabotage.

As part of the validation process, licensees, applicants, and contractors or vendors must take steps to access information from reliable sources, independent from that provided by the individual requesting UA or UAA, to ensure that the information provided to the licensee is authentic. Similarly, a licensee that accepts an access authorization program implemented by a contractor or vendor to satisfy 10 CFR 73.56(d)(3) must ensure that this validation has been performed prior to granting UA or certifying UAA.

This RIS does not transmit any new requirements and does not require any specific action or written response on the part of the addressees.

BACKGROUND INFORMATION

The issue of validating information related to the non-immigration status of a foreign national was first addressed by the NRC in RIS 2002-13, "Confirmation of Employment Eligibility" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML021720225, August 27, 2002). The NRC staff issued RIS 2002-13 after becoming aware of a situation where an individual had been granted UA to protected and vital areas of a reactor

ML25155B213

facility through the use of a fraudulent Social Security number and an alien registration card. In the RIS 2002-13, the NRC stated that, "it is crucial that licensees exercise greater diligence in implementing their access authorization programs."

To facilitate licensee validation of the information provided by foreign nationals, on September 26, 2007, the NRC began providing licensees with access to the U.S. Citizenship and Immigration Services (USCIS) Systematic Alien Verification for Entitlements (SAVE) electronic database. Use of the USCIS SAVE database is one acceptable means of validating a foreign national's non-immigration status as part of verifying the foreign national's true identity. There is no charge for licensees to use this service.

In October 2017, the NRC's Office of Investigations, in collaboration with the U.S. Department of Homeland Security (DHS), Homeland Security Investigations, identified several instances where foreign nationals were granted UA or certified UAA at U.S. nuclear power plants for the purpose of performing work when they did not have the correct non-immigrant status to work at a nuclear power plant in the U.S. in accordance with 10 CFR 73.56(d)(3). Based on these more recently identified issues, the NRC determined that it would be beneficial to provide additional clarifying information to licensees.

SUMMARY OF ISSUE

The regulatory requirements in 10 CFR 73.56(d)(3) were first promulgated in March 2009.¹ Specifically, 10 CFR 73.56(d)(3) requires the following:

Licensees, applicants, and contractors or vendors shall verify the true identity of an individual who is applying for UA or UAA in order to ensure that the applicant is the person that he or she has claimed to be. At a minimum, licensees, applicants, and contractors or vendors shall validate that the Social Security number that the individual has provided is his or hers, and, in the case of foreign nationals, validate the claimed non-immigration status that the individual has provided is correct. In addition, licensees and applicants shall also determine whether the results of the fingerprinting required under § 73.57 confirm the individual's claimed identity, if such results are available.

Moreover, 10 CFR 73.56(a)(4) also specifies:

The licensee or applicant may accept, in part or whole, an access authorization program implemented by a contractor or vendor to satisfy appropriate elements of the licensee's access authorization program in accordance with the requirements of this section. Only a licensee shall grant an individual UA. Licensees and applicants shall certify individuals' UAA and are responsible to maintain, deny, terminate, or withdraw UAA.

In the preamble (Statements of Consideration) to the October 26, 2006, Power Reactor Security Requirements proposed rule, the Commission made clear that the term "validation" was being used in 10 CFR 73.56(d)(3) "to indicate that licensees, applicants and [contractors or vendors] would be required to take steps to access information in addition to that provided by the individual from other reliable sources to ensure that the personal identifying information the

¹ The NRC amended 10 CFR Parts 50, 52, 72, and 73, including Appendices B and C to Part 73, through a final rule ("Power Reactor Security Requirements") published in the *Federal Register* on March 27, 2009 (74 FR 13925).

individual has provided to the licensee is authentic” (71 FR 62747). The Commission further stated that “(v)alidation could be achieved through a variety of means, including, but not limited to, accessing information from databases that are maintained by the Federal Government, or evaluating an accumulation of information... .”

One acceptable method to comply with the validation requirement of 10 CFR 73.56(d)(3), is for licensees, applicants, and contractors or vendors to conduct a visual verification of documents and official government issued photo identification (e.g., passport, Work Authorization Document, or visa) provided by non-immigrant foreign nationals, together with use of the SAVE database. The SAVE database prompts a user to enter appropriate demographic and other information on the foreign national being considered for UA or UAA. A user typically receives a response from the SAVE database within minutes. Some examples of responses that may be received from the SAVE database include the following:

- One response might be “Non-Immigrant – Not Employment Authorized.” In the event of this type of response, the foreign national typically should not be granted UA or certified UAA if the purpose of granting such access is to allow the foreign national to work in the protected area, unless the licensee determines that there is other justifying information that can be considered.²
- A second type of SAVE response might be “Non-Immigrant – Temporary Employment Authorized.”³ This response meets the access authorization requirement in 10 CFR 73.56(d)(3) to validate the non-immigration status of a foreign national. A further review of the foreign national’s employment eligibility, to verify the type of work the foreign national is authorized to perform under the specific visa category, is not required to meet the regulatory requirement in 10 CFR 73.56(d)(3).

The enclosure to this RIS provides a step-by-step guide to assist licensees in using the SAVE system. Validation of non-immigration status using SAVE can be initiated for foreign nationals prior to their arrival at the nuclear power plant site. Where additional verification may be warranted by USCIS, SAVE response times may vary in duration, and licensees should consult NRC or USCIS staff if assistance is needed while processing results received from the SAVE system.

Consistent with the requirements in 10 CFR 73.56(a)(4) as noted above, a licensee may also accept, in part or whole, an access authorization program implemented by a contractor or vendor to satisfy appropriate elements of the licensee’s access authorization program. This includes the verification of the true identity of a non-immigrant foreign national and the validation that their claimed non-immigration status is correct. Although a contractor or vendor does not have access to the USCIS SAVE database, they can perform the same level of validation using

² In some instances, while a SAVE response may indicate that an individual is “not employment authorized,” the Class of Admission code listed within the SAVE response may still permit that individual to conduct business in the U.S. (For example, a code “WB” would indicate that the individual is a temporary visitor for business admitted under the Visa Waiver Program.) In such instances, a licensee may still be able to grant UA or certify UAA for the individual, based on the validated non-immigration status.

³ Additional information on SAVE responses (e.g., Non-Immigrant – Temporary Employment Authorized) is available to registered users and can be accessed within the SAVE response itself by clicking on the links provided: Guide to Understanding SAVE Verification Responses and on page 6 Online Resources.

E-Verify.⁴ Licensees would need to ensure that the contractor or vendor is performing the necessary validation steps prior to granting UA or certifying UAA.

Licensees are not required to rely on information from a Federal database to perform validation steps in accordance with 10 CFR 73.56. Licensees may identify other methods for validation by “evaluating an accumulation of information.” The NRC is aware that some licensees rely on a subject matter expert to review information presented by a foreign national (e.g., via their passport, visa, or other documentation) or obtained from other sources (e.g., credit history information) to ensure its authenticity. Licenses relying on a subject matter expert review of the information provided by a foreign national should ensure that the subject matter expert has the appropriate qualifications, training, and/or experience to be able to determine whether the information presented by a foreign national is indeed authentic (e.g., to ensure that documents presented are not forgeries).

In instances where licensees need to manage exigent circumstances, licensees can also permit access through other means available in accordance with NRC regulations. For example, a licensee may consider whether to permit escorted access of a non-immigrant foreign national under the visitor and escort provisions in 10 CFR 73.55(g), “Access Controls,” sub-paragraphs (g)(7), “Visitors,” and (g)(8), “Escorts.”

CONCLUSION

Licensees must have an access authorization program that provides reasonable assurance⁵ that individuals granted UA or certified for UAA are trustworthy and reliable. Licensees may use any method that reliably validates the non-immigration status claimed by a foreign national seeking UA or UAA. If, consistent with 10 CFR 73.56(a)(4), a licensee accepts a contractor or vendor’s access authorization program to satisfy the identity verification requirements of 10 CFR 73.56(d)(3), the licensee must ensure that the contractor or vendor reliably and effectively validates the non-immigration status claimed by a foreign national as part of their processes. The licensee remains at all times responsible for granting/certifying, maintaining, denying, terminating, or withdrawing an individual’s UA or UAA. This RIS reminds licensees of that requirement.

BACKFITTING AND ISSUE FINALITY DISCUSSION

This RIS does not require any action or written response on the part of any licensee or applicant. Accordingly, issuance of this RIS does not constitute “backfitting” as that term is defined in 10 CFR 50.109(a)(1) and does not affect the issue finality of any approval issued under 10 CFR Part 52.

⁴ E-Verify is a web-based program administered by USCIS and the U.S. Social Security Administration (SSA) and is available to enrolled employers by accessing the website: <https://www.e-verify.gov>. Private sector employers in all 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, and Commonwealth of Northern Mariana Islands can use E-Verify to electronically confirm the employment eligibility of their employees to work in the U.S. E-Verify electronically matches information provided on the employee’s completed USCIS Form I-9, “Employment Eligibility Verification,” with records available to DHS and SSA. It currently is the best available method to electronically confirm employment eligibility for private sector entities and is comparable to a licensee’s use of the SAVE program.

⁵ In Staff Requirements Memorandum (SRM)-SECY-16-0073, “Options and Recommendations for the Force-on-Force Inspection Program in Response to SRM-SECY-14-0088,” the Commission stated that, “the concept of ‘high assurance’ of adequate protection found in our security regulations is equivalent to ‘reasonable assurance’ when it comes to determining what level of regulation is appropriate.” (ML16279A345)

FEDERAL REGISTER NOTIFICATION

The NRC previously published four prior versions of this RIS, with the most recent version dated April 18, 2025 (ML25083A260). This final version incorporates changes intended to address comments received from stakeholders in response to drafts that were noticed for public comment in the *Federal Register*, as well as additional input received during noticed meetings with stakeholders.

CONGRESSIONAL REVIEW ACT

This RIS is not a rule as defined in the Congressional Review Act (5 U.S.C. §§ 801–808).

PAPERWORK REDUCTION ACT STATEMENT

This RIS does not contain new or amended information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing requirements were approved by the Office of Management and Budget (OMB), approval number 3150-0002.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the document requesting or requiring displays a currently valid OMB control number.

CONTACT

This RIS requires no specific action or written response. If you have any questions about this RIS, please contact the technical staff listed below or the appropriate NRC regional office.

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Note: NRC generic communications may be found on the NRC public Web site, <https://www.nrc.gov> under NRC Library/Document Collections

Enclosure:
Systematic Alien Verification for Entitlements (SAVE)
Database Step-by-Step Instruction

OFFICIAL RECORD COPY

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE) DATABASE STEP-BY-STEP INSTRUCTION

Use of the SAVE system provides one acceptable means by which licensees can validate the correct non-immigration status of foreign nationals.

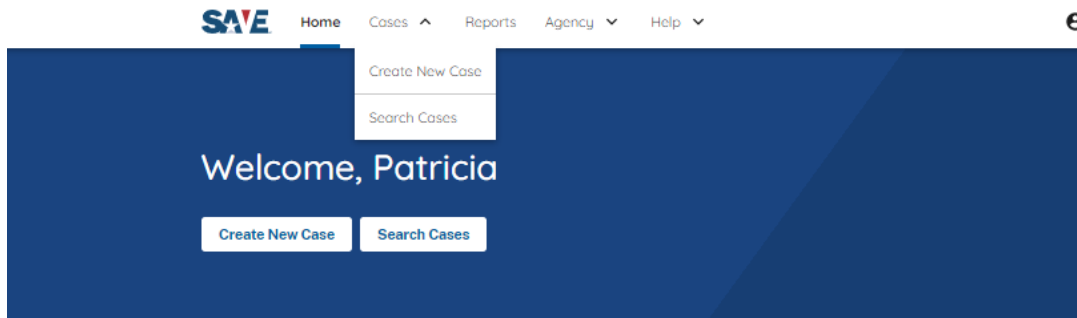
To access SAVE, the licensee should perform the following:

STEP ONE:

If licensees do not already have access to SAVE, they can request an account by contacting the NRC's Access Authorization technical staff at SAVE.AccountRequest@nrc.gov. The licensee must first establish a memorandum of understanding (MOU) between the NRC and the licensee for the use of SAVE. (The NRC maintains a template to facilitate this process.) Once the MOU is signed, an account to use SAVE will be set up for the licensee.

STEP TWO:

Once a licensee/user logs into the SAVE system, there are two ways to create a new verification case: 1) from the homepage there is a welcome message - under the welcome message, select the option "Create New Case," or 2) using the toolbar at the top of the screen, select the option "Cases" and choose "Create New Case" from the drop-down menu.



STEP THREE:

Enter the non-immigrant foreign national's information, which includes Name (First, Last); Date of Birth; and one additional enumerator, such as the Alien Number, SEVIS (Student) Identifier, or I-94 number. Enter as much information as available and then select "Continue." If a field formatting error alert is displayed, the field will be highlighted. The formatting error must be corrected to continue.

STEP FOUR:

Select Benefit(s) being requested – choose the option "Employment" and select "Continue."

STEP FIVE:

A review screen will be displayed with case details. This is a summary screen based on licensee input and selection. Ensure all case details are entered accurately prior to submitting for verification. Once confirmed, select "Initiate Verification."

STEP SIX:

Depending on the information that USCIS has about the applicant, a photo may be returned. The user will be prompted to compare the photo displayed in SAVE with the photo in the document provided by the applicant and make a confirmation selection using the following options:

- Yes, this photo matches
- No, this photo does not match
- No photo available

Select "Continue." For additional information, if you selected "Yes, the photo matches," SAVE will respond with its case result – the Initial Verification Response. If you selected "No, this photo does not match," SAVE will respond with "Institute Additional Verification." Additional verification steps will be necessary. If you selected "No photo displayed," SAVE will respond with its case result – the Initial Verification Response.

STEP SEVEN:

Review the SAVE Initial Verification Response to confirm the foreign nationals claimed non-immigration status.

Applicant Status: Non-Immigrant
Employment Eligibility: Employment Authorized - Temporary Employment Authorized

A non-national of the U.S. who is admitted for a specific reason and for a limited period of time. The applicant [Guide to Understanding SAVE Verification Responses](#) for additional information. Follow your agency's policy v applicant is eligible for benefits.

SAVE Response Details

Case Verification Number
0022214135531PV

COA Code
H1B

Date Admitted To
09/05/2025

Employment Authorization Expiration Date
08/26/2025

Response Date
08/02/2022

Agency Submitted

Full Name
[REDACTED]

Date of Birth
[REDACTED]

Passport Number
[REDACTED]

Country of Issuance
IND

Note: For additional help in using SAVE, from the main menu select “Help” from the toolbar at the top of the screen, then select the “Resources” option. This provides the user with links to helpful guidance, user manuals, and training.

If the SAVE database is temporarily unavailable, or a user has difficulty in interpreting a SAVE response, please contact the NRC for assistance at SAVE.AccountRequest@nrc.gov.