UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

COMMISSIONER

June 1, 2004

Mr. James P. Riccio
Nuclear Policy Analyst
Greenpeace
702 H Street NW, Suite 300
Washington, DC 20001

Dear Mr. Riccio:

This is in response to your letter of May 10, 2004 requesting information about a briefing I received in January of 2000 concerning Usama Bin-Laden. You question whether the information I learned at that briefing was considered by the Commission in its assessment of nuclear power plant security at that time and whether the present design basis threat (DBT) for those facilities is adequate.

Much of the information that you request is classified national security information and cannot be provided to you. I can tell you that the classified briefing I received on January 21, 2000 did not concern security at nuclear power facilities. The Nuclear Regulatory Commission (NRC) has had a threat assessment program, which draws on national intelligence resources to inform our physical security program, since the 1980's. The January 2000 briefing was part of that ongoing program. I have been informed that some of the other Commissioners received briefings on the same information.

The briefing information, which did not concern nuclear power reactors, is unrelated to the Commission's decisions prior to September 11, 2001 to explore whether there were more effective means of evaluating power reactor licensees' protective capabilities. As part of that effort the Commission had approved a rulemaking plan for revising 10 C.F.R. § 73.55 and a pilot program that would have been conducted in addition to the Operational Safeguards Response Evaluation (OSRE) program. As you know, that pilot program and rulemaking were overtaken by new security initiatives aimed at responding to the threat environment after the events of September 11, 2001.