

November 15, 2004

The Honorable Russell D. Feingold  
United States Senate  
Washington, D.C. 20510-4904

Dear Senator Feingold:

On behalf of the U.S. Nuclear Regulatory Commission, I am responding to your October 7, 2004, letter concerning the appearance of sensitive security information in publicly available media programs. Your letter forwarded an e-mail message from a constituent who asked what steps the NRC is taking to ensure that sensitive information does not appear in such programs. Your constituent appeared to be attempting to prevent the airing of a particular show, but there was only a passing reference to "Nuclear Meltdown." The FX network did broadcast a show called "Meltdown" on June 6, 2004, which strayed significantly from actual conditions at nuclear power plants.

Television and radio programs that deal with the subject of nuclear security sometimes describe details that would seem to include sensitive information relating to the protective strategies, equipment, and numbers of security force personnel protecting nuclear power plants. However, suppositions about security measures do not constitute Safeguards Information (SGI) as defined in Section 147 of the Atomic Energy Act. Very often the information portrayed is incorrect and, in the event that it is correct, it is usually not due to someone having gained access to sensitive information.

The NRC generally follows Federal government policy of not commenting on public reports or details that might contain sensitive information. By not commenting, the agency avoids stating or implying anything about the merits of the public information and thereby protects the correct information from compromise.

The NRC has stressed to its licensees the importance of protecting sensitive information and the penalties associated with unauthorized disclosure of Safeguards Information. Among other mechanisms, NRC urged licensees to protect SGI in a Regulatory Issue Summary in April 30, 2003 (enclosed).

I appreciate your interest in this matter. If you have any other questions on this, please contact me.

Sincerely,

**/RA/**

Luis A. Reyes  
Executive Director  
for Operations

Enclosure: As stated

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