



# **Headquarters Policy Flash**

**Flash # 99-13**

**DATE:** August 2, 1999  
**TO:** Distribution  
**FROM:** Office of Procurement and Assistance Policy (MA-51)  
Office of Procurement and Assistance Management

**SUBJECT:** *DOE N 142.1, Unclassified Foreign Visits and Assignments*

**SUMMARY:** On July 14, 1999 the Secretary approved DOE N 142.1 revising requirements for unclassified foreign visits and assignments to DOE facilities. This Notice replaced DOE 1240.2B, dated 8-21-92. The Notice was coordinated through the Field Management Council and issued/distributed through the Directives System concurrent with a DOE Policy (DOE P 142.1) and a transmittal memorandum from the Secretary. A Contractor Requirements Document (CRD) was not included with the interim Notice, *however, the Notice is applicable to all Federal AND CONTRACTOR activities that involve unclassified foreign visits and assignments.*

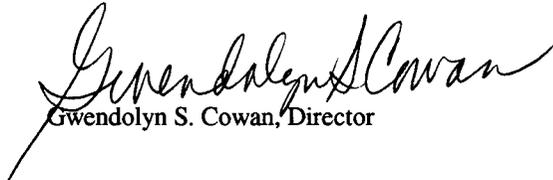


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Please ensure that within 90 days the Notice is incorporated into management and operating contracts and other contracts for work performed at DOE-owned or DOE-leased facilities (including management and integration contracts and environmental restoration contracts). Contracts should be modified by revising List B as required by paragraph (b) of the Laws, regulations and DOE directives clause (DEAR 970.5204-78).

Other contracts that might involve activities addressed in the Notice should also be modified. For additional information regarding the implementation of this Notice, please consult/coordinate with your local Field Safeguard and Security Director or equivalent. Attached for your information is a copy of the Secretary's July 14, 1999, memo announcing the approval of the new policy and Notice. You will note that certain facilities are exempt from the requirements of the Notice.



Gwendolyn S. Cowan, Director

Attachment

cc: Richard H. Hopf, MA-5  
John Edmondson, MA-5  
Steve Mournighan, MA-52  
Ed Simpson, MA-52  
Steve Michelsen, MA-53  
James Cavanagh, MA-54

**The Secretary of Energy**

Washington, DC 20585

July 14, 1999

MEMORANDUM TO HEADS OF DEPARTMENTAL ELEMENTS AND  
CONTRACTOR ORGANIZATIONS

FROM: BILL RICHARDSON *BR*  
SECRETARY OF ENERGY

SUBJECT: UNCLASSIFIED FOREIGN VISITS AND ASSIGNMENTS

Today, I approved the attached directives formally implementing changes to the DOE policy and procedures for unclassified visits and assignments by foreign nationals to our facilities. These changes incorporate recommendations included in Presidential Decision Directive 61 and the recent Counterintelligence Implementation Plan, and are part of the ongoing reforms the Department is making to our national security procedures. I have previously directed many of these changes at our most sensitive facilities. These directives formalize the changes, provides additional clarification, and extends their applicability to other facilities. Key changes include:

- Rescinding the previous directive (DOE 1240.2B) and all exemptions and waivers to that directive, including any previous authority to waive requirements for indices checks.
- Establishing the authority of the Secretary of Energy as the single official to grant exemptions and waivers, and to approve visits and assignments by foreign nationals from countries identified by the State Department as terrorist nations.
- Delegating approval authority and accountability for foreign visits and assignments to the DOE or DOE contractor site managers.
- Requiring the involvement of local counterintelligence, security, and export control officials in the approval process
- Clarifying information collection and reporting requirements.

Implementing these changes are important to the security reforms we are making and I expect your immediate attention to these directives. Authority for exclusions or modifications to these requirements is my responsibility, and attached to this memo is the list of those laboratories, that, due to the nature of their activities, are currently exempt. Information and copies of the lists of sensitive countries and sensitive subjects referred to in the directives, are available from the Nuclear Transfer and Supplier Policy Division, NN-43, Telephone (202) 586-2331, FAX (202) 586-1348.

I expect there to be additional changes and improvement to these directives. These changes will result from current activities involving the establishment of the new Office of Security and Emergency Operations and changes being made in the information reporting system to make it fully support our reporting and tracking needs. I expect all affected offices to be fully involved in developing these changes.

I do want to take this opportunity to clarify an important point. While U.S. national security is a top priority, I am also concerned that Asian Pacific Americans as a group are finding their loyalty and patriotism questioned in the wake of recent espionage allegations. This behavior is unacceptable and will not be tolerated. These new requirements make it clear that "foreign nationals" does not include any U.S. citizen regardless of their heritage.

Attachments

July 13, 1999

Attachment – List of DOE facilities exempt from the requirements of DOE N 142.1

The Secretary of Energy has determined that the requirements of DOE N 142.1 do not apply to the following facilities because these facilities do not perform classified work. However, the requirements of DOE N 142.1 do apply to visits and assignments hosted by individuals holding security clearances at these facilities.

Ames Laboratory  
Fermi National Accelerator Facility  
Lawrence Berkeley National Laboratory  
National Renewable Energy Laboratory  
Princeton Plasma Physics Laboratory  
Stanford Linear Accelerator Facility \\  
Thomas Jefferson National Accelerator Laboratory