



STANFORD UNIVERSITY
SLAC National Accelerator Laboratory
 Operated by Stanford University for the U.S. Department of Energy



DOE Order 142.3A, Unclassified Foreign Visits and Assignments Program (10/14/2010)

Site Compliance Plan (final rev., 07/06/2016)

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Introduction

This Site Compliance Plan (SCP):

- a) corresponds with the version of the DOE Order on Unclassified Foreign Visits and Assignments listed in the Prime Contract,
- b) states how the Laboratory complies with applicable requirements as tailored to the risks at the Laboratory,
- c) correlates and compares SLAC’ s Unclassified Foreign Visits and Assignments Program and Site Security Plan with the CRD of this Order, and
- d) documents recurring deliverables* and DOE-approved methods of compliance for applicable requirements.

Impact on the Contract:

Under the SCP, sections of the CRD are incorporated into the Contract as-is, unless the SCP indicates that a section or portion thereof is inapplicable, or the section has been changed. Thus, for example, if “in compliance” is listed next to a CRD section, that section is incorporated into the Contract as-is. However, where an SCP indicates that a section or portion thereof is inapplicable, the section or portion thereof is excluded from the Contract. In addition, where a section or portion thereof is applicable, but changes to the section have been agreed by the Parties, the section, as modified by the Parties, shall be incorporated into the Contract. The SCP also memorializes the Parties’ agreement on how SLAC will comply with sections of the CRD (whether or not modified).

CRD §	Requirements from CRD, Attachment 1	Compliance Status	Method of Compliance	Deliverables* (managed through SLACTrak)			
				Item	Frequency	Due Date(s)	Recipient (e.g., SSO)
1	<u>PURPOSE.</u> This CRD defines a program for unclassified foreign national access to DOE sites, information, technologies, or equipment by establishing requirements for the following: a. An approval process for foreign national visits and assignments consistent with U.S. and DOE national security and program-specific policies, requirements, and objectives. b. Reviews of foreign national access requests to ensure that unauthorized access is denied. c. A process for documenting and tracking visits and assignments by foreign nationals to DOE contractor sites or involving DOE contractor information or technologies.		Outlined in sections below.				

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2.	EXEMPTIONS.						
2.a.	<u>Exemption.</u> This CRD does not apply to public events held on or off DOE sites. If held onsite, the Site Security Plan (SSP) or Site Safeguards and Security Plan (SSSP) must document the conditions where this exemption applies. Public events are those that include only information that is not protected by statute, regulation or DOE policy, and is determined to be releasable to the general public, are held in locations that are accessible to the general public, and are available for attendance by the general public.	There are no specific tasks from section 2.a. Note: This CRD exception applies to meetings, conferences, workshops and public tours held in General Access Areas or under full escort, and does not apply to Sensitive Subjects. Additionally, participants must not be receiving funding or reimbursements from DOE funds. SLAC' s SSP, Chapter 7.0, covers conditions of this exemption.					
2.b.	<u>Exemption.</u> Access by foreign nationals 17 years of age or younger who are involved in non-work-related activities is exempt from this CRD.	There are no specific tasks from section 2.b.					
2.c.	<u>Exemption.</u> Unclassified events and activities that occur outside the United States or its territories do not fall under the purview of this CRD.	There are no specific tasks from section 2.c.					
3.	REQUIREMENTS. Foreign national access to contractor managed/operated sites, programs, information, and technologies will be approved provided the access is needed to support DOE program objectives and/or U.S. national interests.	In compliance with approved changes	All foreign nationals require a valid business purpose in order to access the site and information or technology protected by the Order or applicable regulations. Approval of foreign national access is provided through SLAC' s Assignee Onboarding Process. The modified table in Attachment 2 describes what actions and timelines will be met for any nationals from a State Sponsor of Terrorism country (a.k.a, T-3) or nationals from a Sensitive country. T-3 indices packages will be evaluated and approved by the SLAC UFVA local approver and for the initial assignment by the Deputy Secretary or cognizant Under Secretary and subsequent assignments by the DOE SLAC	n/a	n/a	n/a	n/a

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			Site Office (SSO) Head Field Element. SLAC will enter all foreign nationals from sensitive countries in SLAC's local database prior to or upon their arrival. The information will be available for inspection by DOE upon request.				
3.a.	<u>Documentation</u> . The Foreign Access Central Tracking System (FACTS) is the Department's official national database on unclassified foreign visits and assignments (UFVAs). Access to FACTS is limited to U.S. citizens. Contractors will enter all required information regarding UFVAs that require documentation, as detailed in Attachment 2 of this CRD, in FACTS.	In compliance with approved changes	Access to FACTS is controlled and restricted to U.S. Citizens (SLAC employees and DOE-approved contractors). All UFVAs that require documentation are entered into FACTS in accordance to the specifications in the modified table in Attachment 2. Note 1: If SLAC at any point accepts Cat IV SNM and an assignee from a Sensitive country needs access to the material, the assignee will be entered into the FACTS system per the requirements of this Order. Note 2: If an assignee from a Sensitive country needs access to any PPA, the assignee will be entered into the FACTS system per the requirements of this Order.	n/a	n/a	n/a	n/a
3.b	<u>Lawful Immigration Status, Citizenship, and Identity</u> . Sufficient documentation of immigrant or nonimmigrant status, citizenship, and identity is required for	In compliance	Documentation of immigrant or nonimmigrant status, citizenship,	n/a	n/a	n/a	n/a

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	all foreign visitors and assignees at DOE sites, facilities and laboratories to verify identity and authority to work (when applicable for the activities involved) and to ensure that the foreign national is eligible (in lawful immigration status) to be in the United States. With the exception of assignments for intermittent periods by foreign nationals entering the United States under the Visa Waiver Program, temporarily for business or pleasure, or as Canadian citizens who do not require entrance visas, the lawful immigration status of foreign nationals must be valid for the duration of the visit or assignment.		country of birth, Visa status, and the identity for all foreign visitors and assignees is collected and verified before access is granted.				
3.c.	<p><u>Security Plans.</u> UFVAs must be covered by an approved contractor SSP or SSSP that addresses risk and sensitivity factors including security area type to be accessed, determination of whether sensitive subjects will be shared, and affiliation with sensitive countries or countries identified as state sponsors of terrorism. The SSP or SSSP must document the site subject matter expert (SME) review, host, and escort requirements to ensure:</p> <ol style="list-style-type: none"> (1) that national security assets are protected; (2) that appropriate export control and technology transfer reviews, and determinations of export license requirements, are conducted; (3) coordination with site counterintelligence and intelligence (when there is a field intelligence element onsite) elements; (4) that nationals of state sponsors of terrorism do not host other foreign nationals; and, (5) that SME reviews, as required in the SSP or SSSP, are documented in FACTS. 	In compliance	The SLAC SSP chapter 7.0 documents the site Subject Matter Expert review, host, and escort requirements to ensure compliance.	n/a	n/a	n/a	n/a
3.d.	<p><u>Indices Checks.</u> UFVAs may require indices checks based on the involvement of nationals of state sponsors of terrorism or sensitive country nationals, sensitive subjects, or access to security areas other than general access areas (GAAs) or property protection areas (PPAs)(See Attachment 2 of this CRD for applicability). Indices checks are coordinated by the Office of Intelligence and Counterintelligence, and shall be requested by the contractor through the process of documenting access requests in FACTS. Indices checks are valid for a period of 2 years from the indices start date, as documented in FACTS by the Office of Intelligence and Counterintelligence.</p> <p>In cases where indices checks must be completed before access approval determination:</p>	In compliance	<p>All UFVAs requiring indices checks per the modified table in Attachment 2 are entered into FACTS. CI consultations are requested for entries that cannot be entered into FACTS with sufficient time to perform indices checks.</p> <p>Note 1: If SLAC at any point accepts Cat IV SNM and an assignee from a Sensitive</p>	n/a	n/a	n/a	n/a

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	<p>(1) The request must be documented in FACTS with sufficient time to complete the indices checks.</p> <p>(a) If there are valid indices checks for the foreign national documented in FACTS, the indices checks will be considered completed upon documentation of the request in FACTS using the existing FACTS biographical record for that foreign national.</p> <p>(b) If there are no existing valid indices checks for the foreign national documented in FACTS, it is recommended that the request be entered into FACTS 30 days prior to the start date of the request to ensure adequate time for completion of indices checks.</p> <p>(2) If there is insufficient time to complete indices checks before the first day of access, the contractor approval authority may request a counterintelligence consultation in lieu of completion of the indices checks. For requests involving nationals of state sponsors of terrorism, counterintelligence consultations may not be utilized until 30 days after requests are documented in FACTS. Counterintelligence consultations may not be employed as a standard alternative to indices checks.</p>		<p>country needs access to the material, the assignee will be entered into the FACTS system per the requirements of this Order.</p> <p>Note 2: If an assignee from a Sensitive country needs access to any PPA, the assignee will be entered into the FACTS system per the requirements of this Order.</p>				
3.e.	<p><u>Access Approval</u>. All foreign national access to contractor managed/operated sites, programs, information, and technologies for unclassified purposes must be approved by the Secretary of Energy or by an assigned approval authority, which may be a contractor employee, if assigned per the approval authority process set forth in the CRD. Access approvals are subject to validation and verification of the information submitted for the access request when the visit or assignment begins.</p> <p>(1) <u>Access Approval Determinations</u>. For all foreign national access approval requests, the following apply.</p> <p>(a) All information from the review process must be taken into consideration, and potential impacts on site operations must be evaluated.</p> <p>(b) Determination of access approval must ensure that any identified risk to the Government associated with the access granted has been appropriately evaluated and mitigated.</p> <p>(c) Legal and policy-related terms and conditions associated with the proposed visit or assignment must be met before approval. Those terms and conditions include, but are not limited to, visa status</p>	In compliance with approved changes	<p>Access approvals will only be required for Assignees from State Sponsors of Terrorism and for Assignees from Sensitive countries who will require access to CAT IV SNM.</p> <p>Note: SLAC currently does NOT possess any SNM, but has the option to possess Cat IV SNM if needed or required for a specific experiment.</p>	n/a	n/a	n/a	n/a

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	<p>conditions and requirements, right-to-work requirements, and international agreements.</p> <p>(d) Approval determinations must be documented in FACTS.</p>						
	<p>(2) Assignment of Approval Authority. Approvals for foreign national access must be consistent with line management accountability requirements.</p> <p>(a) Approval Authorities must be U.S. citizens.</p> <p>(b) Field Sites. Line management accountability flows from the Secretary of Energy, through the Under Secretaries, to program secretarial officers (PSOs), to heads of DOE field elements, to the contractor site management official or laboratory director, who has been assigned specific authority and responsibility to approve access. When the contractor site management official or laboratory director is not a U.S. citizen, the head of the cognizant DOE field element will assign approval authority to another management official. Final approval authority can be assigned to hosting contractor site management officials or laboratory directors for access requests for sensitive country nationals, nonsensitive country nationals, and nationals of state sponsors of terrorism who are lawful permanent resident of the United States.</p> <p>A contractor or laboratory director may reassign approval authority only to another U.S. citizen employee. Further assignment of approval authority is not allowed. Reassignment of approval authority must be in writing and must be promulgated by the approval authority. Site management officials and laboratory directors will be held accountable for all of their own approval decisions or decisions made by those to whom they have reassigned approval authority.</p> <p>(c) Nationals of State Sponsors of Terrorism. Access requests for nationals of state sponsors of terrorism who are not lawful permanent residents require approval by the site approval authority before final approval determination. Final approval authority is held by the Secretary of Energy and can only be assigned to the Deputy Secretary, Under Secretary for Nuclear Security/Administrator of the National Nuclear Security Administration, Under Secretary of Energy, or Under Secretary for Science. The Deputy Secretary or appropriate Under Secretary, in consultation with the Office of Intelligence and Counterintelligence, will make the final approval determination for</p>	In compliance with approved changes	See 3.e.(1)	n/a	n/a	n/a	n/a

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	these access requests. Subsequent assignment requests extending access to that contractor site or laboratory may be approved by the contractor site or laboratory approval authority.						
3.f.	<p>Graded Approach. The contractor will follow a graded approach for reviewing and approving access by foreign nationals to DOE sites, programs, information and technologies based on subject, location, and length of time of the requested access, as well as the country affiliation(s) of the individual to be granted access.</p> <p>(1) Tables identifying the requirements for UFVA are included in Attachment 2 of this CRD.</p> <p>(2) Special Situations.</p> <p>(a) Foreign national emergency responders and medical personnel who require access do not require documentation in FACTS. This access must be covered by site security plans and procedures.</p> <p>(b) International Atomic Energy Agency (IAEA) visits that are not inspection activities, as defined in the agreement between the United States and the IAEA, or that otherwise do not involve classified information or technologies, are unclassified and will be documented in accordance with this CRD.</p> <p>(c) Visits by foreign national delivery, service, and vendor personnel, if fully escorted and covered by the SSP/SSSP, do not require documentation in FACTS. If not escorted, the visits must be in compliance with the UFVA requirements applicable to the particular location to be accessed, as set forth in Attachment 2 to this CRD.</p> <p>(d) Foreign national participation in Work for Others projects which involves access to DOE sites, or to DOE information that is not releasable to the public, are considered visits and assignments and will be in accordance with all requirements of this CRD.</p>	In compliance	<p>SLAC has established Property Protection Areas (PPAs) and General Access Areas (GAAs). PPAs and GAAs are utilized on graded approach for unclassified research.</p> <p>GAAs further comprise the following two types of areas: 1) Administrative Control Areas (ACAs), which have standard physical security controls such as card readers or locks and keys and 2) Safety Control Areas (SCA), which require training and are primarily controlled for safety (as opposed to security) reasons. All Laboratory areas are regularly evaluated for the appropriate application of PPAs, SCAs, or ACAs, and level of security.</p>	n/a	n/a	n/a	n/a
4.	RESPONSIBILITIES.						
4.a	<p>Heads of Hosting Sites. Hosting sites may include contractor operated field sites, national laboratories, and other DOE operating entities.</p> <p>(1) Consistent with an authorized assignment of authority, serve as the approval authority for UFVA activities and programs within their organizations.</p>	In compliance	<p>(1) Local Approver reviews and approves/denies all visits, assignments and activities.</p> <p>(2) UFVA Implementation Plan created and executed in collaboration with DOE Site Office.</p>	n/a	n/a	n/a	n/a

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	<p>(2) Implement the UFVA program consistent with guidance and direction from the head of the DOE field element with direct responsibility for program performance.</p> <p>(3) Designate points of contact (POCs) for UFVA program management, and provide contact information to the cognizant DOE field element and lead program Secretarial Officer (LPSO), and to the Office of Health, Safety and Security.</p> <p>(4) Ensure that program-specific guidance is issued and followed, corrective actions are implemented as appropriate, and program responsibilities associated with the presence of foreign nationals are met.</p> <p>(5) Ensure a systematic, effective process to provide managers, planners and hosts with appropriate guidance and insight regarding all technologies and information that could lead into sensitive or export controlled areas, and to ensure that sensitive or export controlled technologies and information are identified.</p> <p>(6) Ensure that the requirements of this CRD are applied to Work for Others projects that require foreign national access to DOE sites, facilities, or laboratories, or to DOE information that is not releasable to the general public.</p> <p>(7) Ensure that the UFVA program is included in organizational self-assessments.</p>		<p>(3) Key POCs are designated for administration of the program.</p> <p>(4) Key POCs and hosts receive training and guidance.</p> <p>(5) All designated hosts and POCs are required to complete training on aspects of the UFVA program. Review of sensitive or export controlled technologies as it applies to State Sponsors of Terrorism (SST) access requests.</p> <p>(6) All persons requiring access to the site or information are subject to the order.</p> <p>(7) Regular audits of FACTS are conducted.</p>				
4.b.	<p>Hosting Unclassified Foreign Visitors and Assignees. The contractor hosting a UFVA is responsible for the activities associated with the successful accomplishment of the visit or assignment. The contractor must ensure that foreign nationals hosting other foreign nationals are DOE contractor employees. The contractor must ensure that nationals of state sponsors of terrorism do not host other foreign nationals. The contractor is responsible for the conduct and activities of the foreign nationals for whom it is identified as the host. The contractor must ensure that the host for a UFVA is identified to the visitor or assignee as his/her POC, and that the following requirements are met:</p> <p>(1) Compliance with all requirements for access approval and conduct, including timely, complete, and accurate information for FACTS, compliance with SSP or SSSP requirements, program sponsorship, and notification to workers regarding requirements as appropriate.</p>	In compliance	Hosts meeting the criteria in 4.b. are authorized to host UFVA. All hosts receive training and instruction regarding their roles and responsibilities.	n/a	n/a	n/a	n/a

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	(2) Ensure that suspicious activities are reported in accordance with local reporting requirements. (3) Provide the following information to the foreign nationals the contractor his responsible for hosting: (a) The terms and conditions of access approval, including restrictions and requirements to notify the host of changes in name, immigrant/nonimmigrant status, and other information as required. (b) The requirement to notify the responsible host of any civil or criminal problems that could affect their status and association with DOE. (c) That the failure to provide appropriate documentation when require or providing fraudulent documentation will result in suspension of access approval, removal from the site, and possible cancellation of future access.						
4.c.	<u>Escorting Foreign National Visitors and Assignees.</u> The contractor is responsible for ensuring that foreign nationals working or traveling within a site are escorted, when required, as identified by the SSP or SSSP, to ensure there is no unauthorized access. The contractor must also ensure compliance with all requirements for escorts identified in the SSP or SSSP.	In compliance	SLAC' s SSP, Chapter 7.0 documents the protocol for escorting foreign nationals on site.	n/a	n/a	n/a	n/a
5.	<u>DEFINITIONS.</u> Terms commonly used in the program are defined in the Unclassified Foreign Visits and Assignments Program Definitions, available through the HSS public web site, www.hss.energy.gov/hss/references/security/FV&A/unclassified_foreign_visits_and_assignments_program_definitions.pdf , and through FACTS. (NOTE: DOE Order 142.3A defines the following terms as written below: Assignee: A foreign national who has been approved to access a DOE site, information, or technology for a period of more than 30 consecutive calendar days, but less than 2 full, consecutive years (24 consecutive months). Visitor: A foreign national who has been approved to access a site, information, or technology for 30 calendar days or less.	There are no specific tasks from section 5 (Definitions only). Given limited risks at a fundamental research laboratory like SLAC, SLAC has redefined the following terms: Assignee (SLAC definition): Assignees at SLAC include the following (regardless of duration of the work): 1. Individuals who perform work at or for SLAC. This includes but is not limited to individuals performing experiments, collaborating with researchers and conducting workshops, as well as contractors, subcontractors, postdoctoral fellows, undergraduate or graduate students, interns and faculty. 2. Anyone who will require safety training to perform work. 3. Anyone who will require a badge and/or access to SLAC networks or systems. 4. Anyone who receives payments or reimbursements from SLAC. Visitor (SLAC definition): Visitors at SLAC are those individuals accessing the site for non-SLAC work related activities regardless of the duration of the visit. Visitors may include the following:					

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				1. All individuals coming to SLAC to attend a meeting/conference/seminar and/or workshop that is held in general access areas of the Laboratory and who are not performing any SLAC related work or experiments or receiving payments or reimbursements from SLAC. 2. Anyone on site for the sole purpose of attending SLAC public tours or public lectures. 3. Anyone attending special events at SLAC that do not require any training or work. 4. All individuals staying at the guest house who are not affiliated with SLAC experimenters or work. 5. All delivery personal/vendors making deliveries to SLAC or to construction/special projects.			

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Attachment 2 – Unclassified Foreign Visits and Assignments Graded Approach

GRADED APPROACH: VISITS AND ASSIGNMENTS

These requirements apply only to those visits and assignments conducted in support of DOE missions and goals, or that otherwise involve access to DOE information or technologies.

Further, these requirements do not apply to individuals entering General Access Areas (GAAs). For clarity, this means the following individuals are excluded from these requirements:

1. All individuals coming to SLAC to attend a meeting/conference/seminar and/or workshop that is held in general access areas of the Laboratory and who are not performing any SLAC related work or experiments or receiving payments or reimbursements from SLAC.
2. Anyone on site for the sole purpose of attending SLAC public tours or public lectures.
3. Anyone attending special events at SLAC that do not require any training or work.
4. All individuals staying at the guest house who are not affiliated with SLAC experimenters or work.
5. All delivery personal/vendors making deliveries to SLAC or to construction/special projects.

(All sites where classified work is not conducted)

	FACTS Documentation and Timeliness Requirements	Indices Checks and Completion Requirements	Approval Authority
Visit – Nonsensitive Country	Not required	Not required	Site Office
Visit – Sensitive Country	Not required	Not required	Site Office
Visit – State Sponsor of Terrorism	In time to obtain indices checks	Must be completed before approval determination	Lawful Permanent Residents (LPRs) – Site or HQ Office - All Others - Deputy Secretary or cognizant Under Secretary
Assignment – Nonsensitive Country	Not required	Not required	Site Office
Assignment - Sensitive Country	Entered into SLAC database not later than start date. No FACTS entry required unless Assignee has access to SNM or a PPA, (see 3.a & 3.d)	Not Required, available to DOE upon Request	Site Office
State Sponsor of Terrorism Assignment	In time to obtain indices checks	Must be completed before approval determination	LPRs – Site or HQ Office - All Others o Initial – Deputy Secretary or cognizant Under Secretary o Subsequent– Site or HQ Office



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Approvals

Name	Title
Brian Sherin	Director, ESH, SLAC
Tom Rizzi	ES&H and Facilities Lead, SSO

Please return signed document to: Contract Management, MS 75