

CONTRACTUAL SECURITY REQUIREMENTS

Depending on the scope of the contract, additional protection provisions may be required. In such cases, DOE assists contractors with the development of a security program and protection strategies to ensure classified information and SNM are safeguarded and in compliance with appropriate DOE requirements. Requirements to protect classified information and SNM will be incorporated into the contract, and may include:

- **Physical Protection Measures** – To ensure protection of DOE property and classified information or SNM at the facility through measures such as physical security modifications and plans.
- **Information Security Measures** – To ensure protection of classified and sensitive unclassified information through programs designed to protect against unauthorized disclosure, compromise, or loss.
- **Nuclear Materials Control and Accountability Measures** – To ensure protection and control of SNM.
- **Personnel Security Measures** – To ensure that individuals are processed for, granted, and retain a DOE access authorization only when their official duties require access to classified information or SNM.

CONTACTS

This brochure outlines basic security program requirements that support the policies and requirements of DOE. Additional information may be obtained by contacting DOE Headquarters Office of Security at (301)903-7325.

For more details, see the current DOE Directives Homepage at:
<http://www.explorer.doe.gov:1776/htmls/directives.html>

DOE Order requirements may be found in the following documents located at the DOE Directives Homepage:

- DOE O 470.1, Safeguards and Security Program
- DOE O 471.2A, Information Security Program
- DOE O 472.1B, Personnel Security Activities
- DOE O 474.1A, Control and Accountability of Nuclear Materials
- DOE O 5632.1C-1, Protection and Control of Safeguards and Security Interests

DOE SECURITY REQUIREMENTS



FOR SMALL BUSINESS CONTRACTORS

INTRODUCTION

This brochure is designed to provide small businesses with an overview of security requirements associated with contracts involving classified information or Special Nuclear Material (SNM). The Department of Energy (DOE) participates in the National Industrial Security Program which is the single government-wide security program in use by all federal agencies. Before a business can perform classified or SNM work, it must have a facility clearance. A facility clearance is a determination that a facility is eligible to access, produce, use or store classified information, or SNM. Obtaining a facility clearance involves background checks, ownership, and determination that the contractor is organized and exists under the laws of the United States. It also will involve an inspection of the physical characteristics of the facility if classified information or SNM will be handled at the site. Any individual who will require access to classified information under a contract must obtain an Access Authorization, also referred to as a security clearance. An Access Authorization is a determination that an individual is eligible for access to classified information or SNM. An Access Authorization is based on a background check of character, including credit and law enforcement agencies. Depending on the level of classified information involved, the background checks and level of physical protection required will vary, for example, Top Secret requirements are more stringent than those for Confidential.

Focus on Protection of Security Interests

In recognizing its responsibility for security, the United States Government places contractors working with security interests (i.e., classified information or SNM) under the security cognizance of DOE or other cognizant security agencies. DOE requirements are developed and intended to ensure that all contractors and their employees adhere to the same standards for protection of materials, property, and information, as those required of DOE personnel.

BASIC SECURITY REQUIREMENTS

General Information

DOE contracts may involve classified national security or restricted atomic energy information. Such contracts will require facility and personnel security clearances and, depending on the nature of the contract, special protection and control measures or the development and implementation of a security program. Costs to the small business contractor associated with the program are negotiated and established through the contract process.

DOE will evaluate the nature of the contract and determine what requirements and provisions pertain to a business conducting work where classified information or SNM are involved. DOE provides guidance to the small business contractor to ensure that a program is developed to protect classified information and SNM, and is in compliance with DOE requirements. DOE facilitates and assists with all aspects of the approval process to include oversight and direction on requirements, facility and personnel security clearances, and guidance on other aspects of the program. DOE evaluates the program developed by the small business contractor to ensure the program achieves and maintains compliance with all aspects of DOE policy.

Guidance and Oversight of Requirements

Once it is determined that a contract involves classified information or SNM, DOE provides the small business contractors with the basic security requirements and expectations specific to the contract. The small business contractor, in conjunction with DOE, develops and implements the various aspects of the security program to ensure protection of the classified information or SNM. Such aspects of the program include 1) the development of plans that address goals and objectives to ensure appropriate implementation of the protection measures, 2) training of personnel to

enhance security awareness and make sure individuals are qualified to perform assigned tasks and responsibilities associated with the classified information or SNM work, 3) successful completion of the facility clearance process, which ensures and determines that a facility and specific individuals can access and protect classified information or SNM, and 4) ensuring contractor management develop an internal oversight program to monitor compliance with DOE requirements.

FACILITY CLEARANCE PROCESS

In addition to the development of a security program and plans, a small business contractor must go through the Facility Clearance process before commencing work involving access to classified information or SNM. The process involves: 1) completion of the appropriate Facility Clearance forms, 2) DOE initiation of the Facility Clearance process, and 3) upon DOE Facility Clearance approval, Access Authorizations are requested. The time necessary to obtain all required approvals will depend on the nature of the work. The cost for these processes is primarily borne by DOE, excluding paperwork completion and submission and any necessary modifications of contractor facilities to store classified information or SNM.

Facility Clearance Forms

Facility Clearance forms are completed to initiate the Facility Clearance approval process. Specific approval forms are completed and submitted to the DOE. Completion of these forms is needed to validate and register the small business contractor facility and the level of classified information or SNM involved.

Facility Clearance

In order to be granted a Facility Clearance, a small business will be evaluated to ensure a security program and specific procedures are in place to protect classified information or SNM. The Facility

Clearance requirements establish a process for determining that a facility is eligible to have Access Authorizations, and to receive, produce, use, or store classified information or SNM. The determination of a valid Facility Clearance is based upon approval of various elements, which may include; the contractor security plan, background checks of the company, appropriate Access Authorizations for personnel, appointment of a Facility Security Officer, appropriate contract security clause, satisfactory rating during the DOE survey of the facility, and a favorable Foreign Ownership, Control or Influence (FOCI) determination. Coordination is made with the small business contractor to ensure the appropriate elements are addressed.

Prior to granting any Access Authorizations, the DOE must grant a favorable FOCI determination. The FOCI determination helps DOE determine whether a small business contractor is owned, controlled, or influenced by a foreign interest and as a result there may be the potential for undue risk to the United States and national security. DOE, during the contract process provides the small business contractor guidance and direction on completion of FOCI paperwork. Methodologies designed to protect against undue risk in the event contractors are controlled or influenced by foreign governments, organizations, or individuals are available. If a concern exists, the small business contractor will be requested to propose a plan of action to avoid or mitigate the FOCI concern by isolation of the foreign interest. DOE may recommend that the small business contractor not be considered for contract award or that the affected contracts be terminated if procedures cannot mitigate the FOCI concern.

Access Authorizations (Security Clearance)

Once a favorable FOCI determination has been made, DOE will process Access Authorizations for individuals who require access to classified information or SNM.

The decision to grant or deny an Access Authorization is based on the potential harm to national security in allowing the individual access to classified information or SNM. The level of Access Authorization is determined by the nature of the material or information to be accessed (see chart).

Access Authorization processing may be expedited where the time required for the standard processing will result in serious delay or interference in an operation or project essential to the DOE mission. An option for expediting the process is the Accelerated Access Authorization Program (AAAP). Costs for processing Access Authorizations are borne by DOE, except for travel required for participation in the AAAP.

Department of Energy Access Authorizations (Security Clearances)

ACCESS ALLOWED (marked with an "x")				
Category	Level	DOE "Q"	DOE "L"	"U"
RD	TS	×		
	S	×		
	C	×	×	
FRD/NSI	TS	×		
	S	×	×	
	C	×	×	
Category (Cat) of Special Nuclear Materials	Cat I	×		
	Cat II/III	×	×	
	Cat IV	×	×	×
Investigation Requirements		Field investigation covering last 10 years	National Agency Check with Law and Credit	None

Top Secret (TS), Secret (S), Confidential (C), Restricted Data (RD), Formerly Restricted Data (FRD), National Security Information (NSI), Unclassified (U)