

CONTRACTOR REQUIREMENTS DOCUMENT –  
Attachment 1 of DOE Order 472.1B, PERSONNEL SECURITY ACTIVITIES

This document, which is equivalent to the Personnel Clearances Section of the National Industrial Security Program Operating Manual, prescribes requirements, restrictions, and other procedures necessary for Department of Energy (DOE) contractors to:

- a. prevent the unauthorized disclosure of classified matter;
- b. protect special nuclear materials (SNM); and
- c. control the authorized disclosure of classified matter released by DOE and other Federal agencies.

The Atomic Energy Act of 1954, as amended, provides the statutory basis for DOE's Personnel Security and Personnel Security Assurance Programs, which encompass sets of activities for determining an individual's eligibility for access to Restricted Data and SNM.

Executive Orders 10865, 12829, 12958, and 12968 establish DOE authority to determine an individual's eligibility for access to other classified matter and to promulgate requirements for contractors to protect classified matter.

## 1. GENERAL REQUIREMENTS.

- a. Requests for access authorization shall not be submitted until the contractor has been awarded a DOE contract and has submitted to DOE the required paperwork for a Foreign Ownership, Control or Influence (FOCI) determination.
- b. Access authorization requests may be submitted to DOE pending completion of the FOCI determination; however, a favorable FOCI determination must be rendered by DOE before an access authorization will be granted, reinstated, continued, extended, or transferred for the contractor's applicant for employment (hereafter referred to as "applicant") or employee.
- c. An access authorization request shall be submitted to DOE only after the contractor's determination that the access authorization is essential for the individual to perform tasks or services stipulated in contract provisions (i.e., for an applicant or employee selected to occupy a position that requires the incumbent to access classified matter and/or SNM in order to perform work for DOE).

- d. An access authorization shall not be requested or continued to:
  - (1) allow the dissemination of classified matter on other than a need-for-access basis;
  - (2) preclude the use of access controls or physical barriers to distinguish perimeters among security areas or between security areas and open areas;
  - (3) determine an individual's suitability for employment;
  - (4) alleviate responsibilities for escorting uncleared individuals within a security area;
  - (5) establish a pool of cleared employees; or
  - (6) accommodate an individual's personal convenience, expedience, gain, or advantage, or anticipation of unspecified classified work.
- e. An access authorization shall be requested (or recertified as continuing to be needed) only when required, and only for the type (Q or L, see paragraph 2 below) required, to avoid the unnecessary expenditure of DOE resources and the unwarranted invasion of an individual's privacy.
- f. Individual access to classified matter or SNM shall not be permitted until notification has been received from DOE that access authorization has been granted, reinstated, extended, or transferred. Verbal notification from a DOE official may be accepted, to be followed by written confirmation of the action.
- g. Except as authorized by DOE in paragraph 6 below, access authorizations shall be requested only for individuals who are United States citizens.
- h. Only authorized DOE employees can render a formal access authorization determination (such as eligibility and termination); however, contractors are authorized to effect actions that affect an individual's access, such as restricting access to classified matter or SNM when access eligibility terminates or obtaining a "Security Termination Statement" prior to the individual's departure.
- i. Logistical assistance shall be provided to DOE and investigative agencies as reflected in paragraph 4 below for the conduct of initial investigations and periodic reinvestigations, and for reinvestigations that are conducted when DOE determines that an employee may have been engaged in an

activity or subject to circumstances that affect continued access authorization eligibility.

- j. The provisions of DOE O 472.1B, PERSONNEL SECURITY ACTIVITIES, dated 03-24-97, Chapters I-IX of DOE 5631.2C, PERSONNEL SECURITY PROGRAM, dated 2-17-94, and Title 10, Code of Federal Regulations, Part 710 (10 CFR 710) are not subject to collective bargaining between contractor management and labor (i.e., DOE retains authority in all matters related to DOE personnel security activities).
  - k. An individual's active access authorization status shall not be used as a determining factor for hiring, entering into a consultant agreement, or awarding a subcontract.
  - l. DOE personnel security requirements and procedures shall not be used by contractor management or other employees to coerce, restrain, threaten, intimidate, or retaliate against individuals for exercising their rights under any statute, regulation, or DOE directive.
  - m. Unless otherwise stipulated, the contractor shall not be required to reimburse DOE for DOE costs associated with processing the contractor's applicants or employees for investigations or other access authorization related actions.
  - n. Access authorizations shall be requested and maintained at the minimum number necessary to ensure operational efficiency, and shall be terminated as required in paragraph 7 below.
2. ACCESS AUTHORIZATION DETERMINATION REQUIREMENTS. When the duties of a position will require the incumbent to access DOE classified matter and/or SNM, the contractor shall process the selectee for either a DOE Q or L access authorization if the selectee does not already possess the appropriate type of DOE access authorization. The type of access authorization to be requested will depend on the category (Restricted Data, Formerly Restricted Data, or National Security Information) and level (Top Secret, Secret, or Confidential) of classified matter and/or category of SNM (I, II, III, or IV) to which the incumbent will require access.
- a. For Access to Classified Matter.
    - (1) Q Access Authorization shall be requested when the duties of the position require access to any of the following: (NOTE: A Q access authorization also allows the individual access to the categories/levels of classified matter listed in paragraph 2a[2] below.)
      - (a) Top Secret or Secret Restricted Data;

- (b) Top Secret Formerly Restricted Data;
  - (c) Top Secret National Security Information; or
  - (d) Any category or level of classified matter designated as "COMSEC," "CRYPTO," or "Sensitive Compartmented Information."
- (2) L Access Authorization shall be requested when the duties of the position require access to any of the following:
- (a) Confidential Restricted Data;
  - (b) Secret or Confidential Formerly Restricted Data; or
  - (c) Secret or Confidential National Security Information.
- b. For Access to SNM. Reference DOE M 5632.1C-1, MANUAL FOR PROTECTION AND CONTROL OF SAFEGUARDS AND SECURITY INTERESTS, Table II-1. (NOTE: An access authorization granted for SNM also allows the individual access to the appropriate categories/levels of classified matter on a need-to-know basis.)
- (1) Category I. Q access authorization. (NOTE: Hands-on access to or transportation of Category I quantities may require additional measures, such as Personnel Security Assurance Program or Personnel Assurance Program [reference DOE O 452.2, SAFETY OF NUCLEAR EXPLOSIVE OPERATIONS] participation and/or enhanced nuclear material surveillance procedures to further reduce the probability of an insider act.)
  - (2) Category II with Credible Rollup to Category I. Q access authorization.
  - (3) Categories II and III. An L access authorization unless special circumstances determined by a site vulnerability assessment, and documented in the Site Safeguards and Security Plan, require a Q access authorization.
  - (4) Category IV. None unless special circumstances determined by a site vulnerability assessment, and documented in the Site Safeguards and Security Plan, require an access authorization to minimize risk.

### 3. PRE-EMPLOYMENT AND PRE-PROCESSING REQUIREMENTS.

- a. The following statement shall be included in advertisements for positions that require the selectees to be processed for an access authorization:  
"Applicants selected will be subject to a Federal background investigation and must meet eligibility requirements for access to classified matter."  
The statement may be modified, as appropriate, to reflect access to SNM and/or that additional reviews and/or testing procedures are required for selectees to Personnel Security Assurance Program or Personnel Assurance Program positions.
- b. The contractor shall require applicants and employees selected for a position requiring an access authorization to provide evidence of United States citizenship and shall verify such evidence to DOE when requesting that the individual be processed for an access authorization. (See paragraphs 3c[2] and 4a below.) (NOTE: The contractor is not required to obtain and verify to DOE evidence of United States citizenship if the individual was previously granted access authorization and was a United States citizen when the access authorization was granted.) Acceptable evidence of United States citizenship consists of the following:
  - (1) For an individual born in the United States, a birth certificate is the primary and preferred means of citizenship verification. Acceptable certificates must show that the birth record was filed shortly after birth and it must be certified with the registrar's signature. It must bear the raised, impressed, or multi-colored seal of the registrar's office. The only exception is if a state or other jurisdiction does not issue such seals as a matter of policy. Uncertified copies of birth certificates are not acceptable. A delayed birth certificate (one created when a record was filed more than 1 year after the date of birth) is acceptable if it shows that the report of birth was supported by acceptable secondary evidence of birth. Secondary evidence may include baptismal or circumcision certificates, hospital birth records, or affidavits of persons having personal knowledge about the facts of the birth. Other documentary evidence can be early census, school or family records, newspaper files, or insurance papers. All documents submitted as evidence shall be original or certified.
  - (2) For an individual claiming citizenship by naturalization, a certificate of naturalization that reflects the individual's name is required.
  - (3) For an individual claiming citizenship acquired by birth abroad to a United States citizen, one of the following (reflecting the individual's name) is required:

- (a) a Certificate of Citizenship issued by the Immigration and Naturalization Service;
    - (b) a Report of Birth Abroad of a Citizen of the United States of America (Form FS-240); or
    - (c) a Certificate of Birth (Form FS-545 or DS-1350).
  - (4) A United States passport, current or expired.
  - (5) A Record of Military Processing - Armed Forces of the United States (DD Form 1966), provided it reflects that the individual is a United States citizen.
- c. The requirements in this subparagraph apply to DOE Management and Operating Contractors and other DOE contractors who operate DOE-owned facilities and must comply with 48 CFR 970.2201[b][1][ii].
- (1) When an access authorization will be required for an applicant or employee, the contractor shall conduct the following checks, as appropriate, to establish the individual's job qualifications and suitability before submitting the access authorization request to DOE:
    - (a) a credit check;
    - (b) verification of high school degree/diploma or degree/diploma granted by an institution of higher learning within the past 5 years;
    - (c) contacts with listed references;
    - (d) contacts with listed employers for the past 3 years (excluding employment of less than 60 days duration, part-time employments, and craft/union employments);
    - (e) local law enforcement checks when such checks are not prohibited by state or local law, statute, or regulation, and when the individual has resided in the jurisdiction where the contractor is located.
  - (2) The results of the checks conducted in the paragraph above shall be verified to DOE with the individual's security forms, verification of United States citizenship as required in paragraph 4a below, and a statement that all information concerning the individual has been favorably reviewed in accordance with the contractor's personnel policies. The

following information shall be provided to DOE for each check conducted by the contractor:

- (a) the date the check was conducted;
  - (b) the identity of the individual, office, or entity that provided the information; and
  - (c) a synopsis of the information provided to the contractor.
- (3) An applicant hired specifically for a position that will require an access authorization shall not be placed in that position prior to the access authorization being granted by DOE unless an exception has been obtained from the Head of the Contracting Activity or designee.
- (4) The contractor shall not conduct the checks or provide verifications to DOE stipulated in subparagraphs 3c(1) and 3c(2) above for:
- (a) individuals who hold a DOE access authorization or a security clearance granted by another Federal agency;
  - (b) Federal employees (including members of the Armed Forces) detailed or assigned to the contractor; or
  - (c) an employee previously granted an access authorization or a security clearance at the contractor's request that was subsequently terminated because it was no longer needed, if the individual has been continuously employed by the contractor since that time.
- d. The contractor shall not concurrently process an applicant or employee for an access authorization and a security clearance with another Federal agency. If an applicant or employee is selected to occupy a position that will require both a DOE Q access authorization and another agency Top Secret security clearance, the request for a Q access authorization shall first be submitted to DOE. After DOE has granted a Q access authorization, the contractor should then request the other agency Top Secret security clearance for the individual, noting the date DOE granted a Q access authorization and the individual's DOE Personnel Security File number. When the other agency receives the contractor's request, the individual's security forms, and DOE access authorization information, coordination will be effected with the DOE to obtain information necessary for granting the Top Secret security clearance. The same procedure shall be followed for an individual who will require both a DOE L access authorization and another agency Secret security clearance. For dissimilar types of access (e.g., Q and

Secret, or L and Top Secret), concurrent DOE and other agency requests may be processed. Further implementation guidance concerning this requirement may be obtained from the cognizant DOE office.

#### 4. PROCESSING ACCESS AUTHORIZATION REQUESTS TO DOE.

- a. Access authorization requests shall be forwarded through established channels to the cognizant DOE office. Requests shall include the following documentation: (NOTE: Additional documentation may be required by the cognizant DOE office.)

- (1) A cover letter or form (if one is provided by the cognizant DOE office) that requests Q or L access authorization and provides justification for access authorization processing. The justification shall describe in detail (without revealing classified information) the duties of the position and the category(ies)/level(s) of classified matter and/or category of SNM to be accessed. The contractor shall also identify any other Federal agency access authorization or security clearance that has been granted to the individual at the contractor's request.

NOTE: General statements such as "Access authorization is required to perform contractual duties," or "Access authorization is required in support of Contract Number \_\_\_\_\_," are unacceptable, as are statements that corporate policy requires all applicants or employees to be processed for access authorizations. The following represents an acceptable justification: "Mr./Ms. \_\_\_\_\_ is a Computer Systems Engineer with ABC, Inc., and involved in systems analysis in support of XE-50. The duties of the position will require access to plans and operations concerning the Titium Recovery Facility for the MHGTR, which are classified as Secret Restricted Data. Contract No \_\_\_\_\_."

- (2) Verification of the individual's evidence of United States citizenship.
- (3) Required security forms, usually a Standard Form 86, fingerprint cards, and a DOE Security Acknowledgment. (NOTE: Security forms and instructions shall be provided by the cognizant DOE office. When the duties of the position will involve access to Special Access Programs, information classified as "Top Secret," or classified matter designated as "Sensitive Compartmented Information," "CRYPTO," or "Weapon Data," the individual may be required to file Financial Disclosure Reports, copies of which shall be provided by the cognizant DOE office.)

- (4) For DOE Management and Operating Contractors and other DOE contractors as required, verification that pre-processing checks have been conducted as indicated in paragraph 3c(2) above.
  - (5) The DOE Contract or Subcontract Number under which access authorization is being requested.
- b. Individuals shall be advised that his/her completed security forms will be reviewed by designated contractor employees for completeness prior to submission to DOE. The contractor may elect to maintain, or not maintain, copies of the individual's security forms in paper or electronic format. If the contractor elects to maintain copies of the individual's security forms, the individual shall be informed of the contractor's policy to maintain copies of the security forms, the contractor's procedures for protecting the information from unauthorized disclosure, and the procedures by which the individual may obtain access to, or copies of, his/her security forms that are maintained by the contractor. The contractor shall recommend to the individual that he/she maintain copies of the completed security forms for his/her personal records. (NOTE: The cognizant DOE office shall establish local procedures governing contractor access to the completed Part 2 of the Standard Form 86.)
  - c. Written procedures shall be established for the protection of access authorization information, to include the procedures for:
    - (1) designating the employees responsible, and trained in the procedures, for reviewing the individual's completed security forms prior to their submission to DOE; and
    - (2) informing all employees with access to completed security forms, pre-employment or pre-processing check information, and other access authorization related information of their responsibility to protect the information from unauthorized disclosure.
  - d. Deficient access authorization requests may be returned to the contractor by the cognizant DOE office with an indication of the deficiency(ies). The contractor shall ensure that the deficiency(ies) is (are) corrected and shall return the request to the cognizant DOE office for processing. The contractor shall ensure that the individual being processed for an access authorization is not provided access to classified matter or SNM until the cognizant DOE office notifies the contractor that an access authorization has been granted, reinstated, extended, or transferred. Verbal notification of the access authorization action from the cognizant DOE office will be confirmed by a DOE written notification.

- e. Contractor management shall assist in the timely processing of access authorization actions by:
  - (1) cooperating with investigative agency and DOE requests for access to the individual's contractor employment or personnel information (such requests shall be accompanied by an appropriate release signed by the individual);
  - (2) ensuring the availability of the individual for the conduct of personal interviews by investigative agency or DOE personnel security staff; and
  - (3) ensuring that other employees are made available to provide background information during the conduct of initial investigations and reinvestigations.
- f. Each DOE prime contractor shall be responsible for reviewing, approving, and submitting to DOE access authorization requests for their subcontractor, consultant, or agent applicants or employees. Such requests shall be kept to a minimum in accordance with DOE requirements.

#### 5. INTERIM ACCESS AUTHORIZATION REQUEST.

- a. The contractor may request that an individual who is being processed for a Q access authorization also be processed for an interim access authorization (IAA) based on the following justification: (NOTE: Specific information substantiating the following must be provided.)
  - (1) serious delay of or interference in a DOE program may be experienced unless the named individual is granted an access authorization prior to the completion of full access authorization procedures; and,
  - (2) the services of a qualified person with an active Q access authorization cannot be obtained.
- b. The IAA request shall accompany the required documentation in paragraph 4a above.
- c. Individuals processed for an IAA may be asked to voluntarily participate in the DOE Accelerated Access Authorization Program, which involves psychological, drug, and counterintelligence polygraph testing at the Accelerated Access Authorization Program Center, Albuquerque, New Mexico. Transportation and per diem costs for such processing are the contractor's responsibility. Additional information concerning the

Accelerated Access Authorization Program is available from the cognizant DOE office.

- d. The contractor may provide the individual access to classified matter upon receipt of written notification from the cognizant DOE office that the IAA has been approved. The DOE shall also notify the contractor if the IAA is not approved. Non-approval of an IAA is not a denial of access authorization and is not appealable. DOE full access authorization procedures will continue in either case.
- e. If an individual's IAA approval is withdrawn by DOE, the contractor shall, upon receipt of verbal notification from the cognizant DOE office, ensure that the individual is precluded from access to classified matter. DOE shall confirm the verbal notification in writing. Withdrawal of an individual's IAA approval by DOE is not a denial or revocation of an access authorization and is not appealable. Withdrawal of an individual's IAA approval does not halt the processing of the Q access authorization request.
- f. If the DOE grants a final Q access authorization, the individual's IAA approval will be withdrawn and the contractor so notified in writing.
- g. The contractor shall not request an IAA for individuals requiring L access authorizations or for foreign nationals.

#### 6. ACCESS AUTHORIZATION REQUEST FOR A FOREIGN NATIONAL.

- a. A request for an access authorization for a foreign national shall be processed in accordance with the guidance provided by the cognizant DOE office.
- b. The request shall be made only when the contractor can provide clear evidence that the individual has talents or skills essential to the DOE's mission and not possessed to a comparable degree by an available United States citizen.
- c. The request shall not be processed by DOE if sufficient information cannot be obtained by an investigation to determine the individual's access authorization eligibility.
- d. A foreign national granted access authorization shall not be provided access to the following types of classified matter:
  - (1) "Top Secret," "CRYPTO," or "COMSEC" information.
  - (2) Intelligence information.

- (3) Information that has not been determined releasable by a United States Government Designated Disclosure Authority to the country of which the individual is a citizen.
- (4) NATO Information; however, a foreign national of a NATO member nation may be authorized access to NATO Information provided that:
  - (a) a NATO Security Clearance Certificate is obtained by DOE from the individual's home country; and
  - (b) NATO Information access is limited to performance on a specific NATO contract.
- (5) Information for which foreign disclosure has been prohibited in whole or in part.
- (6) Information provided to the United States Government in confidence by a third party government and classified information furnished by a third party government.

## 7. REPORTING AND OTHER REQUIREMENTS.

- a. Contractor Reporting Requirements. Verbal notification within 2 working days followed by written confirmation within the next 10 working days shall be provided through established channels to the cognizant DOE office of the following conditions affecting an applicant's or employee's access authorization status:
  - (1) when an applicant declines the offer of employment or fails to report for duty;
  - (2) for any reason iterated in paragraph 7c below;
  - (3) when aware of an individual's hospitalization or other treatment for a mental illness or other condition that may cause a significant defect in the individual's judgment or reliability;
  - (4) when made aware of information of personnel security interest. Such information must be characterized as reliable and relevant and create a question as to an individual's access authorization eligibility as exemplified in 10 CFR 710.8 (see the reverse of DOE F 5631.18);
  - (5) when a foreign national under the contractor's cognizance becomes a United States citizen through naturalization or effects any other change in his/her citizenship status; or

- (6) when the contractor restricts or withdraws an employee's access to classified matter or SNM without DOE direction.
- b. Individual Reporting Requirements. Contractors shall inform individuals under their cognizance applying for or granted access authorizations that they are personally responsible for the following: (NOTE: Requirements for the individual to report circumstances of security interest directly to the cognizant DOE office do not preclude the contractor from requiring the individual to also report these circumstances to the contractor's personnel security office or facility security officer.)
- (1) Providing full, frank, and truthful answers to relevant and material questions, and when requested, furnishing or authorizing others to furnish information that DOE deems pertinent to the access authorization eligibility process. This applies when completing security forms, during the course of an initial investigation and reinvestigations, and at any stage of access authorization processing including but not limited to letters of interrogatory, personnel security interviews, DOE-sponsored mental evaluations, and other authorized DOE investigative activities. An individual may elect not to cooperate; however, such refusal may prevent DOE from granting or continuing access authorization. In this event, any access authorization then in effect may be terminated or further processing may be suspended.
  - (2) Directly notifying the cognizant DOE office of the following: (NOTE: Verbal notification is required within 2 working days followed by written notification within the next 3 working days.)
    - (a) all arrests, criminal charges (including charges that are dismissed), or detentions by Federal, State, or other law enforcement authorities for violations of the law, other than traffic violations for which only a fine of \$250 or less was imposed, within or outside of the United States;
    - (b) personal or business-related filing for bankruptcy;
    - (c) garnishment of wages;
    - (d) legal action effected for name change;
    - (e) change in citizenship; and
    - (f) employment by, representation of, or other business-related association with a foreign or foreign-owned interest, or foreign national.

- (3) Notifying the cognizant DOE office or the facility security officer, as appropriate, immediately after any approach or contact by any individual seeking unauthorized access to classified matter or SNM. If such an approach or contact is made while on foreign travel, individuals should notify a Department of State official at the local United States Embassy or Consulate with a request that the Department of State report the incident to the Director of Safeguards and Security at DOE Headquarters. This requirement is in addition to any similar reporting requirements implemented under DOE 5670.3, COUNTERINTELLIGENCE PROGRAM.
  - (4) Providing a completed DOE F 5631.34, "Data Report on Spouse," directly to the cognizant DOE office within 45 calendar days of marriage to, or cohabitation with, an individual who does not currently hold access authorization. These forms shall be provided by the cognizant DOE office.
- c. Access Authorization Termination Requests. The contractor shall request the cognizant DOE office(s) to terminate an employee's access authorization and shall provide a DOE F 5631.29, "Security Termination Statement," completed by the employee whenever any of the following occur: (NOTE: The purpose of the DOE F 5631.29 is to ensure that the individual is aware of his/her continuing responsibilities to protect classified matter after termination of an access authorization. The cognizant DOE office shall be requested to terminate an employee's access authorization even though a completed DOE F 5631.29 cannot be immediately provided.)
- (1) employment by the contractor is terminated;
  - (2) access authorization is no longer required;
  - (3) the individual is on a leave of absence or on extended leave and will not require access for 90 consecutive calendar days. Upon request, this interval may be adjusted at the discretion of the cognizant DOE office;
  - (4) access to classified matter or SNM is no longer required due to transfer to a position not requiring such access (NOTE: The cognizant DOE office may approve a contractor request for an individual to retain an access authorization when the contractor verifies that the individual shall be reemployed or reassigned by the contractor within the next 3 months in a position that will require an access authorization. The contractor shall inform the cognizant DOE office of the individual's employment status at the end of the 3 month interval.); or

- (5) the individual leaves for foreign travel, employment, assignment, education, or residence of more than 3 months duration not involving official United States Government business. (NOTE: This requirement applies even if the individual remains employed by the contractor.)
- d. Access Authorization Reinstatement Requests. The contractor shall request the cognizant DOE office to reinstate access authorization for an applicant or employee when the contractor is aware that the individual previously was granted an access authorization. The cognizant DOE office shall advise the contractor whether the individual must complete a new set of security forms or update information that the individual previously provided.
- e. Access Authorization Upgrade Requests. The contractor shall request the cognizant DOE office to upgrade an employee's access authorization from L to Q in accordance with the new access requirements associated with the duties of the position (reference paragraph 2 above). The request shall be accompanied by appropriate security forms and a revised access authorization justification statement, as directed by the cognizant DOE office.
- f. Access Authorization Downgrade Requests. The contractor shall request the cognizant DOE office to downgrade an employee's access authorization from Q to L in accordance with the new access requirements associated with the duties of the position (reference paragraph 2 above). The request shall be accompanied by a revised access authorization justification statement.
- g. Access Authorization Extension Requests. Extension of an access authorization is the process that allows an individual to hold concurrent access authorizations: under the cognizance of two or more DOE offices; under two or more employers; or for one employer under two or more contracts. A Q access authorization can be extended as either a Q or L access authorization, but an L access authorization can only be extended as an L access authorization. The contractor shall request an access authorization extension under the following circumstances:
- (1) for an applicant who has an access authorization granted by DOE at the request of another employer and who must retain that access authorization in connection with his/her other employment (NOTE: This is a common situation for consultants. A contractor may request an extension for more than one DOE contract.); or
- (2) for an employee when the individual will be assigned to perform classified work under more than one DOE contract and must retain the

original access authorization in connection with his/her continued work under the first DOE contract.

The contractor's request for access authorization extension shall be accompanied by a written access authorization justification statement and shall reference the individual's full name, and Social Security Account Number, and, if known, DOE Personnel Security File number and type/date of access authorization. The cognizant DOE office shall advise the contractor if additional security forms are required to effect the extension. The contractor shall ensure that the individual is precluded from access to classified matter or SNM associated with the second contract until notified by the cognizant DOE office that the extension request has been approved. Under the extension process, an employee's access authorization can be terminated under one contract while being maintained in an active status under another contract(s). The contractor shall notify all cognizant DOE offices when the employee no longer requires access authorization under any of the contractor's DOE contracts (reference paragraph 7c above).

- h. Access Authorization Transfer Requests. Transfer of an access authorization is the process that allows an individual's access authorization to be simultaneously terminated under one contract and granted under another contract. A transfer can be effected only for like access authorizations (i.e., Q to Q, or L to L). The contractor shall request an access authorization transfer under the following circumstances:
  - (1) for an applicant when the individual has an access authorization granted by DOE at the request of his/her current employer that will be terminated when the individual leaves that employment; (NOTE: This action involves a change of employers for the individual.) or
  - (2) for an employee when the individual will be assigned to perform classified work under a different contract than the one for which he/she was originally granted an access authorization, and will no longer require access to classified matter associated with the original contract. (NOTE: This action involves a change of contracts for the individual under one employer.)

The contractor's request for access authorization transfer shall be accompanied by a written access authorization justification statement and shall reference the individual's full name, Social Security Account Number, and, if known, DOE Personnel Security File number and type/date of access authorization. The cognizant DOE office shall advise the contractor if additional security forms are required to effect the transfer action. The contractor shall ensure that the individual is precluded from access to classified matter or SNM until notified

by the cognizant DOE office that the transfer request has been approved. When applicable, the cognizant DOE office processing the transfer request is responsible for ensuring that the DOE office that originally granted the individual's access authorization is notified to terminate the individual's access authorization associated with his/her previous employment.

i. Access Authorization Suspension, Revocation, and Denial.

- (1) The cognizant DOE office is responsible for notifying the contractor in writing when an employee's access authorization is suspended. Upon receipt of such notification, the contractor shall ensure that the employee is precluded from access to classified matter and/or categories of SNM requiring an access authorization. If so directed, the contractor shall retrieve from the employee any identification reflecting active access authorization. The cognizant DOE office is responsible for notifying other DOE offices or Federal agencies where the employee has been approved/certified for access to classified matter. When the security issue(s) concerning the employee's access authorization status has been resolved, the contractor shall be notified in writing by the cognizant DOE office of whether the employee's access authorization has been reinstated or revoked.
- (2) The cognizant DOE office shall notify the contractor in writing when an applicant or employee has been denied access authorization. Upon receipt of such notification, the contractor shall ensure that the individual is precluded from access to classified matter and/or categories of SNM requiring an access authorization.
- (3) Suspension, denial, or revocation of an individual's access authorization does not preclude the contractor from assigning or transferring the individual to duties that do not require an access authorization.

j. Records Maintenance.

- (1) Current records shall be maintained which reflect by contract number all employees granted access authorizations. The listing shall include the employee's name, DOE file number, and the date the contractor was notified by DOE that the employee's access authorization was granted, reinstated, extended, or transferred.
- (2) Copies of correspondence to and from the cognizant DOE office(s) that reflect access authorization matters for each applicant and employee shall be maintained, including: the request for access

authorization, notification that access authorization action was effected, and access authorization termination actions. Such copies shall be maintained while the individual holds an access authorization at the contractor's request and for a period of 2 years after the date the contractor requests DOE to terminate the individual's access authorization, at which time they may be destroyed.

- (3) All records and information pertaining to applicant and employee access authorization matters, including copies of security forms and information collected from the conduct of pre-employment or pre-processing checks, shall be protected against unauthorized disclosure in accordance with the Privacy Act of 1974 (Title 5, United States Code, 552a) and/or DOE directives. Information collected by the contractor for access authorization processing shall not be used by the contractor for any purpose other than that for which it is intended and shall not be provided to non-contractor employees or any other entity or organization without prior approval from the cognizant DOE office.

k. Recertifications and Reinvestigations.

- (1) The contractor shall comply with periodic DOE requests to recertify its employees' access authorization status. Usually, the cognizant DOE office will furnish the contractor with a listing of its applicants and employees who hold or are being processed for access authorizations, and request that the contractor annotate the listing with any corrections or adjustments and return the listing in a timely manner. Recertification, or an examination of access authorization records, also may be requested during the conduct of a DOE security survey. Specific recertification guidance shall be provided by the cognizant DOE office.

- (2) The contractor shall assist DOE in the conduct of periodic reinvestigations in accordance with guidance provided by the cognizant DOE office (reference paragraph 4e above).

8. PERSONNEL SECURITY ASSURANCE PROGRAM REQUIREMENTS. The contractor shall prepare a Personnel Security Assurance Program (PSAP) Implementation Plan when its site, facility, or an operation is identified as having PSAP Positions, and shall implement the provisions of the PSAP Implementation Plan within 30 working days of its approval. The PSAP Implementation Plan, prepared in accordance with 10 CFR 710 and DOE directive requirements, shall reflect the PSAP requirements to which the contractor has agreed.

9. DOE AND NUCLEAR REGULATORY COMMISSION (NRC) ACCESS

AUTHORIZATIONS. Both the DOE and the NRC grant Q and L access authorizations. The term "access authorization(s)" in this document refers only to DOE access authorizations.