



Hosting Foreign Nationals at DOE Sites

Office of Security

Office of International Safeguards and Security

DOE's Unclassified Foreign Visits and Assignments Program

The Department of Energy is a leader in science and technology, and is responsible for advancing U.S. capabilities in energy supply, related environmental cleanup and management, and economical energy sources while protecting U.S. national security interests associated with these technologies.

The Department values the contributions of international collaborations to the scientific and technological strength of the United States and to Departmental mission success, and offers foreign national visitors and assignees access to DOE's facilities, staff, and information in a broad range of unclassified work.

The DOE Unclassified Foreign Visits and Assignments Program defines the following requirements for unclassified foreign national access to DOE sites, information, and technologies:

- An approval process for foreign national visits and assignments;
- Reviews of foreign national access requests to ensure that unauthorized access is denied; and
- A process for documenting and tracking foreign visits and assignments to DOE sites or involving access to DOE information or technologies.

As the host of a foreign national for an unclassified visit or assignment, you have a significant role in meeting these requirements. This document is designed to

provide you with information you will need before, during and after you act as host to a foreign national.

Who Can be a Host

To be the host of a foreign national at a DOE site, you must be either a DOE Federal employee or a DOE contractor employee, and you must complete an annual DOE or DOE contractor annual security briefing/certification. If you are a foreign national, the following requirements also apply:

- For laboratories or facilities that perform no classified work, and at which no classified materials are stored:
 - o If you are a nonsensitive country national or a sensitive country national, you may host nonsensitive country nationals for visits and assignments that do not involve access to sensitive subjects. You may not host nationals of state sponsors of terrorism, and may not serve as host for visits or assignments involving sensitive subjects.
 - o If you are a national of a state sponsor of terrorism, you may not host other foreign nationals.
- For all other sites, facilities and laboratories, sensitive country nationals, to include nationals of state sponsors of terrorism, may not host other foreign nationals.

Prior to the Visit or Assignment

Before a visit or assignment can take place at a DOE facility, or involving DOE information or technologies, a request for access by the foreign national must be approved. Included in this request are biographical information about the foreign national and information about the visit or assignment. As the host for a foreign national visit or assignment, you are responsible for ensuring that the information provided is complete and accurate.

Required Information

The following biographical information for the foreign national must be collected:

- First, middle, and last names
- Gender
- Whether or not he/she is a Lawful Permanent Resident (LPR) of the U.S.
- Country of citizenship
- Country of birth
- City, or region, of birth
- Date of birth
- Name of the company or institution the individual is affiliated with
- Country of Employer
- Title (or position) and duties
- The status under which the Bureau of U.S. Citizenship and Immigration Services (USCIS, formerly INS) has granted the foreign national access to the U.S. Examples of USCIS status include: LPR; temporary visa for business (B-1); temporary visa for academic studies/language programs (F-1); or temporary visa for educational or exchange programs

designated by the Department of State (J-1).

- The unique number the USCIS has assigned to the foreign national under this status.
- The expiration date of the status granted by the USCIS.
- The passport number of the foreign national or, in cases where a passport is not required for entry into the U.S. (such as most Canadian visitors), a current government-issued identification document which includes a photo.
- The country of issue for the passport or other form of identification.
- The expiration date of the passport or other form of identification.

The following information regarding the visit or assignment must also be collected:

- Facility to be visited
- The highest, or most restrictive, security area type to be visited.
- Whether or not sensitive subjects will be discussed.
- Whether or not the request is for a DS-2019 assignment (whether or not the foreign national is a J-1 Exchange Visitor)
- Whether or not the host of the visit/assignment holds an access authorization (clearance)
- What type of access is being requested (visit, assignment, extension of a previous assignment, or a High Level Protocol Visit to the DOE HQ Forrestal Building).
- Whether or not the meeting will be Held offsite.
- Host first and last names.
- Host country of citizenship.
- Host phone number.
- Desired start and end dates.

- Subject(s)
- Headquarters Department Element, or HDE, Code. This is the organizational code of the Headquarters office associated with the visit or assignment.
- Justification of the visit or assignment, to include specific activities.
- Purpose of the visit/assignment.
- Buildings and rooms to be accessed
- The cost of the visit/assignment to DOE.
- The anticipated benefit of the visit/assignment to DOE programs.
- First and last name of the DOE contact for the visit/assignment.
- DOE contact phone number.
- Whether or not foreign national will be granted computer access.
- If computer access will be granted, whether access will be onsite or offsite, and the hardware and software to which access will be granted.

Requirements for Access Approval

As the host of a foreign national, you are responsible for ensuring compliance with all access approval requirements for the visit or assignment. These requirements vary depending on the security area to be accessed, the nationality of the foreign national, and the sensitivity of the unclassified subject(s) to be discussed.

For any foreign national visit or assignment, you are responsible for ensuring that environment, safety and health reviews are performed and related requirements are met, and that any program sponsorship requirements (such as exchange visitor programs) are met.

Nationals of State Sponsors of Terrorism

For requests involving nationals of state sponsors of terrorism **at all sites, laboratories and facilities**, you are responsible for ensuring that:

- Complete and accurate information is provided to your site foreign visits and assignments personnel for timely entry into the Foreign Access Central Tracking System (FACTS).
- Subject matter expert reviews for security, export control, technology transfer, counterintelligence and intelligence (if there is a field intelligence element at your site) are conducted for the visit or assignment.
- A specific security plan is developed which addresses the specific site security concerns associated with the presence of the foreign national.
- Adequate documentation is provided to support a determination that the potential visit or assignment is extraordinary (i.e., impossible to achieve through any other means).

Requests for nationals of state sponsors of terrorism must be approved by your site approval authority, and must receive final approval authority from the Secretary of Energy before it can commence. The request for access must be entered into FACTS at least 30 days before the first day of access. However, because the request will also be reviewed by a Management Panel consisting of the DOE Directors of Security, Counterintelligence and Intelligence, and of representatives for each Under Secretary, it is recommended that the access request be submitted as early as possible.

Laboratories or Facilities That Perform No Classified Work, and At Which No Classified Materials Are Stored

For visits and assignments at these facilities (and with the exception of requests for nationals of state sponsors of terrorism), you are responsible for ensuring that:

- Complete and accurate information is provided to your site foreign visits and assignments personnel for timely entry into FACTS for all sensitive country national assignment requests, and for all visit requests involving sensitive subjects.
- A specific security plan is developed if the visit or assignment involves access to sensitive subjects.

Requests for access by nonsensitive country nationals and sensitive country national are approved by your site approval authority.

Passport, Visa, and U.S. Citizenship and Immigration Service (USCIS) Information

Sufficient documentation of immigrant and nonimmigrant status, identity, and citizenship is required for all foreign national visitors and assignees at all DOE sites, facilities and laboratories to verify the foreign national's identity and authority to work, and to ensure that the foreign national is eligible to be in the United States.

As the host of a foreign national visitor or assignee, it is important that you notify the foreign national that documentation of identity, authority to work, and lawful immigration status must be provided before the foreign national can access your facility.

For foreign national assignees, the visa, passport, or other USCIS information must be reverified annually. Specific requirements for this information are provided in DOE Order 142.3, *Unclassified Foreign Visits and Assignments Program*.

During the Visit or Assignment

For the duration of the visit or assignment, you as the host will be responsible for the conduct and activities of the foreign national. At the start of the visit or assignment, you must provide the following information to the foreign national:

- The terms and conditions of access approval, including restrictions and requirements to notify you of changes in name or status information.
- That the foreign national is required to notify you of any civil or criminal problems that could affect his/her status and associated with DOE.
- That the failure to provide appropriate documentation when required or providing fraudulent documentation will result in suspension of access approval, removal from your site, and possible cancellation of future access.

In the event that you become aware of suspicious activity related to the foreign national visitor or assignee, you are required to report that activity according to your site reporting requirements, to include your local counterintelligence office and your local incidents and infractions reporting office.

If changes in the dates of access by the foreign national, changes in areas to be accessed, or changes regarding subjects to be discussed take place during the conduct

of the visit or assignments, you should notify your site foreign visits and assignments office. You should also notify that office in the event that host duties are transferred from yourself to another employee.

During the course of the visit or assignment, it may be necessary for others to escort the foreign national while he/she works or travels within your site. Escorts must:

- Be familiar with your site, to include security areas.
- Have full knowledge and understanding of all security plan requirements associated with the visit/assignment.
- Have knowledge of the specific information or technologies to which the foreign national has been authorized access, to ensure that unauthorized access does not occur.
- Have the appropriate access authorization for escort duties, as required by your site.

Conclusion of the Visit or Assignment

At the conclusion of the foreign national visit or assignment, you should ensure that any badge(s) issued to the foreign national are returned to the appropriate site personnel. You should also ensure that the appropriate closeout information is provided to your site foreign visits and assignments personnel for documentation in FACTS.

In order to continue to be eligible to serve as a host to foreign national visitors and assignees, you must continue to complete annual DOE or DOE contractor security briefings/certifications.

Exclusions from DOE Order 142.3

Some foreign national visits and assignments are excluded from the requirements of DOE Order 142.3. They include:

- Access by foreign nationals 17 years of age or younger, who are involved in non-work-related activities.
- Unclassified events that occur outside the United States or its territories.
- Events or activities that are determined to be open to the general public (such as public lectures, community meetings, cultural or entertainment events, or open house events), and that are held in public areas (NOTE: Before an event or activity can occur, your site approval authority must consult with subject matter experts in security, export control, technology transfer, and counterintelligence.

Additional Information

For additional information on the unclassified foreign national visits and assignments program or policy, please contact please contact the following:

JLab Registration/International Services.
VARC bldg 28:

Ext: 269-6380 or 269-7687

JLab Security & Services
VARC bldg 28:

Ext: 269-5383 or 269-7548