

United States Government

Department of Energy

memorandum

Albuquerque Field Office

DATE: MAR 28 1994

REPLY TO
ATTN OF: WFO/D

SUBJECT: DOE Procedure for Identification, Review, and Approval of Special Access Programs (SAPs) Performed for Non-DOE Sponsors

TO: P. M. Ramey, Area Manager, AAO
E. W. Bean, Area Manager, KCAO
L. D. Kirkman, Area Manager, DAO
R. E. Glass, Area Manager, PAO
R. E. Sabre, TSD, AL

The memoranda dated February 28, 1994, from Victor H. Reis, Assistant Secretary for Defense Programs and dated May 14, 1993, from Everet H. Beckner, Acting Assistant Secretary for Defense Programs to Operations Office Managers (Attachments 1 and 2) are provided for your implementation, as necessary, in conjunction with appropriate AL and HQ Staff. The Defense Programs (DP) memoranda reference National Security Agency and DOE Inspector General recommendations covering DOE's oversight and control of SAPs, identify the DP point-of-contact (POC) for all SAPs, and include procedural requirements for SAPs funded by non-DOE Sponsors. The DP POC identified (Thomas Tromley) has recently retired from DOE and the new DP POC on an interim basis is Michael E. Long, DP-4.3 (301-903-4284).

Attachment 3 is a flowchart which depicts the SAP procedure as described in the DP memorandum of May 14, 1993, and which distinguishes between DOE's review and approval of intelligence-related and non-intelligence Work for Others (WFO) SAP projects. Please note that as a result of DOE HQ reorganizations since May 14, 1993, all references in the attachments to the Office of Intelligence (IN) are to be equated with the Office of Intelligence and National Security (IS). Since attachment 2 is a clarification of an August 16, 1991 Defense Programs memorandum, that memorandum is provided as Attachment 4.

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DOE personnel who should be knowledgeable as defined in the DP May 14, 1993, memorandum depends on numerous considerations all of which must be consistent with the "need to know" security principle. In addition to knowledgeable HQ personnel, AL personnel who are to be knowledgeable will be identified for each WFO SAP project. Specific AL personnel who are to be "read-in" prior to DOE acceptance of funding and authorization of work to begin will be identified.

For all SAPs, and in addition those Special Access Required (SAR) activities that are not SAPs, the AL Deputy Manager or I must be knowledgeable of all work performed at AL facilities and/or by AL M&O contractor personnel. In addition, at least one representative of AL's Security and Nuclear Safeguards Division (SNSD) must be knowledgeable. In this regard, there is also an existing requirement that each SAR/SAP be registered as a security interest through completion of a Facility Data and Approval Record (FDAR) and that an initial and annual security survey of non-intelligence SARs/SAPs be conducted by a representative of SNSD. Additional AL personnel to be knowledgeable, i.e., "read in," will depend on whether the WFO project is intelligence-related or non-intelligence work and which AL office is responsible for the WFO project review and approval and funding acceptance. As an example, for WFO projects under the purview of the Work for Others Technologies Division (WFOTD), the Director, who also serves as the Contracting Officer who certifies compliance with DOE policy and accepts the funding, must be knowledgeable. Additional "read-ins" for WFOTD staff have been requested on several occasions to expedite DOE's WFO project review and approval, and non-DOE sponsors have usually agreed. Also, an example where additional "read-ins" would be necessary is a WFO project for which the DOE has responsibility for an Environmental Assessment or Environmental Impact Statement in accordance with the National Environmental Policy Act.

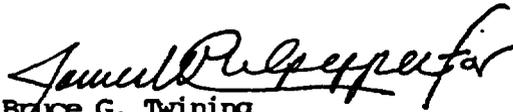
In summary, the DOE continues to address concerns regarding its oversight and control of classified WFO projects and, in particular, SAR/SAPs. I recognize the need to minimize the number of personnel who are knowledgeable of SAR/SAPs. Accordingly, the "need-to-know" principle will

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be adhered to, while at the same time assuring appropriate AL personnel are knowledgeable. Questions regarding this memorandum may be directed to Bob Lowrey, Director, WFOTD, FTS (505) 845-6047, or David A. Gurule, Director, SNSD, FTS (505) 845-6293.


Bruce G. Twining
Manager

4 Attachments

cc w/attachments:

R. Inlow, OSS, AL
D. Krenz, OESH, AL
G. Dials, CAO
D. Gurule, SNSD, AL

c w/o attachments:

E. Beckner, DP-2, HQ
A. Millunzi, DP-4.3, HQ
M. Long, DP-4.3, HQ
B. Moyers, IS-30, HQ
K. Carlson, KAO