

**U.S. Department of Energy**  
**Washington, DC**

**ORDER**

**DOE O 142.3C**

Approved: 3-31-2026

**SUBJECT: UNCLASSIFIED FOREIGN NATIONAL ACCESS PROGRAM**

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1. **PURPOSE.** The Department of Energy (DOE) unclassified mission focuses on the critical challenges of our time, for both the country and the world. While much of this unclassified mission work is performed in collaboration with the international community, the federal government simultaneously holds a responsibility to protect its assets and deny unauthorized access to sites, information, or technologies. This program defines the requirements for unclassified foreign national access to DOE sites, information, or technologies by establishing requirements for the following:
  - a. A risk-based review and approval process for foreign national access consistent with United States (U.S.) law; export control regulations; national and economic security; and DOE program-specific policies, requirements, and objectives.<sup>1</sup>
  - b. A process for documenting and tracking foreign national access to DOE sites and access to DOE information or technologies.
  
2. **CANCELLATIONS.** DOE O 142.3B, *Unclassified Foreign National Access Program*, dated 01-15-21.

Cancellation of a directive does not, by itself, modify or otherwise affect any contractual or regulatory obligation to comply with the directive. Contractor Requirements Documents (CRDs) that have been incorporated into a contract remain in effect throughout the term of the contract unless and until the contract or regulatory commitment is modified to either eliminate requirements that are no longer applicable or substitute a new set of requirements.
  
3. **APPLICABILITY.**
  - a. **Departmental Applicability.** Except for the equivalencies/exemptions in paragraph 3.c., this Order applies to all Departmental elements.

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<sup>1</sup> This Order serves as DOE's policy to assess the counterintelligence risk that covered visitors or covered assignees pose to the research or activities undertaken at the National Laboratories, as required by Sec. 6432 of the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025, Public Law 118-159 (December 23, 2024) (FY2025 NDAA). In addition, any legal prohibition on admittance, particularly the absolute prohibition detailed in Section 4.n for citizens or agents of Covered Foreign Nations to specified facilities under section 3112(c) of the FY2025 NDAA must be applied first in accordance with applicable DOE guidance before proceeding with any request under this Order.

The Administrator of the National Nuclear Security Administration (NNSA) must ensure that NNSA employees comply with their responsibilities under this Order. Nothing in this Order will be construed to interfere with the NNSA Administrator's authority under section 3212(d) of Public Law (P.L.) 106-65 to establish Administration-specific policies, unless disapproved by the Secretary.

- b. DOE Contractors. Except for the equivalencies/exemptions in paragraph 3.c., the CRD (Attachment 1) sets forth requirements of this Order that will apply to contracts that include the CRD. The CRD must be included in contracts involving foreign national access to DOE sites, information, or technologies. Except for the equivalencies and exemptions in paragraph 3.c., applicable requirements of the CRD set forth in this Order apply to government-owned, government-operated (GOGO) facilities and federally staffed laboratories as the Field Elements of their Program Secretarial Office.
- c. Equivalencies/Exemptions for DOE O 142.3C. Equivalencies and exemptions to this Order are processed in accordance with DOE O 251.1, *Departmental Directives Program*, current version.
  - (1) Equivalency. In accordance with the responsibilities and authorities assigned by Executive Order 12344 (codified at Title 50 United States Code (U.S.C.) sections 2406 and 2511), and to ensure consistency through the joint Navy/DOE Naval Nuclear Propulsion Program, the Deputy Administrator for Naval Reactors (Director) will implement and oversee requirements and practices pertaining to this Order for activities under the Director's cognizance, as deemed appropriate.
  - (2) Exemptions.
    - (a) Unclassified events and activities outside the U.S. or its territories.
    - (b) Dual citizens, only if one citizenship is U.S citizenship.
    - (c) Requests for access to information that is not a sensitive subject as defined by this Order, and in accordance with applicable procedures (i) is already available to the public or (ii) has been documented to be published and shared broadly within the scientific community. [NOTE: Physical access to a site will follow normal site security procedures, including the applicable requirements of this Order.]

- (d) Requests for access to information (e.g., technical specifications, project data, research results) by foreign nationals from countries that are formally part of a specific DOE program-sponsored international collaboration project under a DOE or U.S. Government-level bilateral or multilateral international agreement (e.g., Deep Underground Neutrino Experiment at Long-Baseline Neutrino Facility, Proton Improvement Plan-II, Vera C. Rubin Observatory). This applies only to information generated under these projects and agreed to be shared among the participants. [NOTE: Physical access to a site that would otherwise be within this exemption will follow normal site security procedures, including the applicable requirements of this Order.]
- (e) Information exchanges conducted remotely by HQ program offices and supporting laboratory and contractor personnel, in direct support of DOE/NNSA nonproliferation, counterproliferation, counterterrorism [NOTE: Physical access to a site that would otherwise be within this exemption will follow normal site security procedures, including the applicable requirements of this Order.]
- (f) Unclassified information exchanges conducted by DOE employees and supporting laboratory and contractor personnel who are foreign nationals approved in FACTS under a specific DOE-related work assignment. These individuals can participate in virtual and in-person meetings, discussions, and phone calls with other DOE federal and contractor employees outside of their duty station to perform the duties specified in their FACTS assignment. [NOTE: Physical access to a site that would otherwise be within this exemption will follow normal site security procedures, including the applicable requirements of this Order.]
- (g) Public events held on or off DOE sites.
- (h) Certain activities within General Access Areas (GAA):
  - 1 Personal visits.
  - 2 Third-party events (i.e., not related to the DOE mission) hosted at the site.
  - 3 Access by foreign national delivery, service, and vendor personnel (NOTE: Also exempt in other areas outside of a GAA if fully escorted and compliant with other relevant security requirements).
  - 4 Foreign nationals performing construction activities.
- (i) Foreign national emergency response and medical personnel who require access for emergencies.

- (j) Access by foreign nationals 17 years of age or younger who are involved in non-work-related activities.
- (k) International Atomic Energy Agency (IAEA) inspections, as defined in the “Agreement between the United States and the IAEA for the Application of Safeguards in the U.S.”
- (l) Mutual Defense Agreement (MDA) visits do not fall under this Order; MDA visits follow the applicable Administrative Arrangements and DOE O 470.1.

4. REQUIREMENTS. Foreign national requests for access to DOE sites, information, or technologies will be reviewed based on all the information provided and any potential impacts on site or program operations. All access requests must include all applicable data elements outlined below and any additional information required by the Foreign Access Central Tracking System (FACTS). Access requests involving the following must not exceed two years continuous duration from the start date: requests by foreign nationals from countries on the Sensitive and Other Designated Countries List (SCL), to include State Sponsors of Terrorism (SST) and Countries of Risk (COR), and Covered Foreign Nations (CFN)<sup>2</sup>; access requests to a physical security area more restrictive than a Property Protection Area (PPA); or access requests for sensitive subjects. In other situations, an approved access request must not exceed four years in continuous duration.

For the purposes of this Order, continuous duration means a single uninterrupted period. However, access requests can only be valid for the duration of the lawful immigration status of the foreign national regardless of the length of the access request. If the foreign national requesting access has multiple country affiliations, the requirements are applied based on the country that has the most associated restrictions as identified in this Order based on country category (SST, COR, CFN, or Other Designated Country).

A determination of access approval is required before each access request is granted and must ensure that any identified risk to the Government associated with the access granted has been appropriately evaluated and mitigated, including a review against the Science and Technology (S&T) Risk Matrix. All access approvals must be made by U.S. citizens, be valid for the duration of the access request, and be documented in FACTS no later than the first day of access.

- a. Access Request. Each foreign national access request must include the following items:
- (1) Identification of the information or technology(ies) to be accessed, and whether considered a sensitive subject as defined by this Order.

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<sup>2</sup> Refer to Section 4, subsection n for Prohibition on Admittance for Citizens or Agents of Covered Foreign Nations (CFN)

- (2) Identification of the area (e.g., GAA, PPA) to be accessed for all physical access requests.
  - (3) Justification for the requested access, including specific activities or involvement.
  - (4) Identification of the DOE/NNSA program or sub-element and its mission advanced by the access request.
  - (5) Proposed start and end dates of access request which cannot exceed the duration identified in paragraph 4 above [NOTE: Access requests can only be valid for the duration of the lawful immigration status of the foreign national regardless of the length of the access request].
  - (6) The Required Data Elements in Attachment 3, as applicable.
- b. Supplemental Foreign National Access Questionnaire. A Supplemental Foreign National Access Questionnaire must be submitted and entered into FACTS in support of all foreign national access requests for individuals affiliated with SST or COR countries. The data fields for this questionnaire are defined in Attachment 3.
- c. Curriculum Vitae (CV). A CV must be provided for all non-SST and non-COR foreign nationals conducting research at laboratories and entered into FACTS. CVs must include all employment activities from the age of 18 years and provide all the foreign national's science and technology specialties. CVs must also include the current/accurate name of all academic institutions attended and all degrees/diplomas earned. There should be no lapses in time over the past 10 years.
- d. The DOE office or contractor responsible must provide the following statement to each foreign national who requires a curriculum vitae (CV) or equivalent document and is requesting access. This statement must be signed by the foreign national, certifying that all information provided is complete and accurate.<sup>3</sup>

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<sup>3</sup> A new review, based on the additional data elements required by Attachment 3, for individuals with existing access approvals at the time of publication of this Order is not required. These individuals will need to provide the data elements required by Attachment 3 at the time of their next access authorization renewal.

I, [Full Name and Title], certify to the best of my knowledge and belief that the information provided by me in a CV or equivalent document and related to my immigration status is true, complete, and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (18 U.S.C. §§ 287, 1001, and 1031 and 31 U.S.C. §§ 3729-3733 and 3801- 3812). I further understand and agree that (1) the statements and representations made herein are material to the U.S. Department of Energy's (DOE) decision to provide access to DOE/NNSA sites, information or technology; and (2) I have a responsibility to update the information provided should circumstances change which impact such information.

Signature: \_\_\_\_\_ [Full Name and Title]

Date:

- e. FACTS Data Entry and Updates. The Supplemental Foreign National Access Questionnaire or CV, as required in 4.b and 4.c, respectively, must be entered in electronic form into the FACTS database.
- (1) The DOE office or contractor responsible shall require foreign nationals to provide information on changes in employment within 30 days of such a change.
  - (2) Prior to access being granted: If the responsible DOE office or contractor determines or becomes aware of additional information associated with the foreign national requesting access that is materially relevant to the risk-based process described in this Order, the access request for such foreign national must not be approved until the additional information is considered as part of the review of the request for access.
  - (3) After initial access is granted: If the responsible DOE office or contractor determines or becomes aware of additional information associated with the foreign national that is materially relevant to the risk-based process described in this Order, the foreign national's access must be reviewed based on that additional information and the responsible DOE office or contractor must determine within 30 days whether to suspend, revoke, or continue the current access. If access is suspended, the responsible DOE office or contractor has 45 additional days to make a final decision to revoke or continue the access.

- (4) For the situations described in (2) and (3) above, the DOE office or contractor responsible shall consult with the cognizant office within the Office of Intelligence and Counterintelligence prior to making any final determinations.
  - (5) To the extent that the responsible DOE office or contractor determines that any misrepresentation or omission described in (1), (2), or (3) above was deliberate or intentional, the access for the foreign national may be denied or revoked.
- f. Site Security Plan (SSP). The SSP must include the requirements and procedures used to process foreign national access requests at the site. The SSP, as approved by the Officially Designated Federal Security Authority (ODFSA), must include requirements to ensure:
- (1) appropriate documentation describing the process for application of the exemptions listed in this Order, particularly the exemption in paragraph 3.c.(2)(6) allowing information exchanges with DOE employees and contractors outside of the individual's duty station;
  - (2) appropriate delegation of approval authority to the site management official or laboratory director, and any related procedures;
  - (3) that appropriate export control and technology transfer reviews, and determinations of export license requirements, are conducted;
  - (4) that nationals of state sponsors of terrorism (SST) do not host other foreign nationals;
  - (5) that nationals of countries of risk (COR) do not host other nationals of CFN, CORs, SSTs, or other designated countries on the Sensitive and Other Designated Countries List;
  - (6) coordination with designated Counterintelligence (CI) and Intelligence (IN) elements;
  - (7) site-specific subject matter expert (SME) reviews, escort, and host requirements;
  - (8) that the span of control of an individual host is reasonable (e.g., limit on the number of foreign nationals being hosted by a single individual); and,
  - (9) that nationals of CFNs, CORs, SSTs, or other designated countries on the Sensitive and Other Designated Countries List may not serve as the direct supervisor to a cleared contractor employee, absent a waiver from the head of the cognizant HQ departmental or field element.

- g. Lawful Immigration Status, Citizenship, and Identity. Sufficient documentation of immigrant or nonimmigrant status, citizenship, and identity is required for all foreign nationals 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 [i.e., in lawful immigration status, including those who have received Delayed Action for Childhood Arrivals (DACA) status] to be in the U.S. The lawful immigration status of foreign nationals must be valid for the duration of the access request. There is an exception for intermittent periods by foreign nationals entering the U.S. under the State Department Visa Waiver Program, temporarily for business or pleasure, or for Canadian citizens who do not require entrance visas.
- h. Assignment of Approval Authority. Approvals for foreign national access must be consistent with line management accountability requirements.
- (1) Headquarters Elements. Approval authority for foreign national access to HQ activities and/or offices within HQ sites/organizations is the head of the cognizant HQ departmental element. Heads of HQ departmental elements may make final approval determinations for access requests involving sensitive country nationals, non-sensitive country nationals, and nationals of SSTs who are lawful permanent residents (LPR) of the United States. The head of a HQ departmental element may reassign his or her approval as appropriate. Further reassignment of approval authority is not allowed. All reassignments of approval authority must be in writing, and a copy must be provided to the Office of Environment, Health, Safety and Security. Heads of HQ programs, staff, and support offices will be held accountable for all decisions made by themselves or by those to whom they reassign approval authority.

Access by foreign press to HQ sites is managed through the Office of Public Affairs and involves official press interviews. Access by press representatives from non-sensitive countries must be documented in FACTS within two working days of access. Press representatives from sensitive countries or representing press services of sensitive countries require full pre-access reviews and approvals documented in FACTS before access.

High-level protocol access is limited to meetings between the Secretary of Energy, the Deputy Secretary, the Under Secretaries, Program Secretarial Officers (PSOs) or other senior Departmental officials, and foreign national representatives of foreign governments or organizations of foreign governments in HQ buildings. The Secretary, Deputy Secretary, Under Secretaries, and PSOs will determine which senior Departmental officials within their organizations are authorized to grant this access. Advance approval reviews may be suspended if requested by these senior Departmental managers subject to compliance with the security plans and procedures developed for high-level protocol access to HQ sites. The duration of high-level protocol access is limited to one day.

Documentation of these visitors in FACTS is required within one working day of the access. Justification for this access must address the protocol nature of the access.

- (2) Field Sites. Approval authority and accountability for foreign national access to a Departmental site and associated information and/or technology is the head of the cognizant DOE field element for that site. The head of the cognizant field element may make final approval determinations for access requests involving sensitive country nationals, non-sensitive country nationals, and nationals of SSTs that are LPRs.

The head of the cognizant field element may delegate approval authority to the site management official or laboratory director after demonstration of adequate procedures to handle these access requests. When the site management official or laboratory official is not a U.S. citizen, the head of the cognizant DOE field element may delegate approval authority and accountability to only an individual who is a U.S. citizen. All site approval authorities must be defined in the SSP. A site management official or laboratory director may reassign approval authority to other U.S. citizen employees within their organization. Further reassignment or delegation of approval authority is not allowed. A site management official or laboratory director must reassign or delegate approval authority in writing and document this action in the SSP. Site management officials and laboratory directors are accountable for all access approval decisions made by themselves or by those to whom they have delegated or reassigned approval authority.

- i. Countries of Risk. Access requests for Country of Risk foreign nationals are subject to the absolute prohibition described in Section 4.n. For requests not subject to that prohibition, Country of Risk foreign nationals' access to certain restricted technology or information as identified in the S&T Risk Matrix must undergo an enhanced review process as described below in paragraphs 4.i.(1)-(3). All proposed access requests in areas that are not identified as restricted in the current S&T Risk Matrix can proceed with the access request review and approval process as required by this Order.<sup>4</sup>

Requests for access to conduct research under a User Agreement at an Office of Science, Critical Minerals and Energy Innovation, or Nuclear Energy User Facility at a non-NNSA DOE laboratory are exempt from the review requirements related to the S&T Risk Matrix discussed below. All other requirements of this Order apply to these access requests.

- (1) A request for access is reviewed by the site, in coordination with the Head of the cognizant DOE Field Element, to determine if the access request is in an area identified as restricted in the current S&T Risk Matrix before submitting the proposed access request through the standard access request review and approval process promulgated by this Order. When an access request is from a Country of Risk foreign national and in an area identified as restricted in the current S&T Risk Matrix, the cognizant DOE Field Element must agree to proceed with the enhanced review process.
- (2) Absent this agreement, the proposed access request is not pursued any further.
- (3) When the Head of the cognizant DOE Field Element agrees to proceed with the enhanced review process, a justification and clear description of why the access request benefits the U.S. must be prepared. The access request must then be submitted through the appropriate PSO and Cognizant Secretarial Officer (CSO), with final approval/disapproval being provided by the cognizant Under Secretary or their designee.
- (4) Completion of specialized enhanced vetting conducted by the DOE Office of Intelligence and Counterintelligence is required prior to final approval of the access request. A copy of the request, along with the required additional information, must be submitted to the cognizant local CI office to support the review. Indices checks will be conducted as part of the specialized enhanced vetting process; therefore, it is recommended the request be submitted 45 days prior to the start date of the access request.

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<sup>4</sup> A new review, based on the additional S&T Risk Matrix requirements, for individuals with existing access approvals at the time of publication of this Order is not required. These individuals will be assessed against the current S&T Risk Matrix requirements at the time of their next access authorization renewal.

- (5) DOE may consider broad approvals for specific categories of these types of access requests, such as those supported under government-to-government agreements and in line with National Security Council policy guidance, to ensure existing priorities are not unduly impeded. These broad approvals will be determined by the cognizant Under Secretary or their designee in consultation with the cognizant DOE Program Office.
- j. Nationals of State Sponsors of Terrorism. Access requests for nationals of State Sponsors of Terrorism are subject to the absolute prohibition described in Section 4.n. For requests not subject to that prohibition, access requests for nationals of SSTs who are not LPRs require approval by the HQ Departmental element or 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 these access requests. Subsequent access requests extending currently approved and on-going access to a HQ or contractor site or laboratory may be approved by the HQ Departmental element or contractor site or laboratory approval authority. For nationals of SST that are LPRs, final approval determination is at the HQ Departmental element or site approval authority level.
- k. Indices Checks. Indices checks are coordinated by the Office of Intelligence and Counterintelligence and shall be requested through the process of documenting access requests in FACTS. Indices checks are valid for a period of two years from the indices completion date, as documented in FACTS by the Office of Intelligence and Counterintelligence. If the approved access request exceeds this two-year period, updated indices checks are automatically requested through FACTS prior to the current expiration date.
  - (1) The following access requests require completed indices checks prior to the start of the foreign national's access:
    - (a) All access requests by nationals of SSTs and CORs.
    - (b) All access requests to a physical security area more restrictive than a Property Protection Area (PPA).
    - (c) All access requests by all other sensitive country nationals to the DOE/NNSA national laboratories, sites, information or technologies.<sup>4</sup> [NOTE: The indices check for requests by other sensitive country nationals for access to conduct research under a User Agreement at an Office of Science, Critical Minerals and Energy Innovation, or Nuclear Energy User Facility at a non-NNSA DOE laboratory can be completed after access is granted.]

- (2) All access requests for sensitive subjects. [NOTE: The indices check for access requests by non-sensitive nationals for sensitive subjects at sites with no classified work can be completed after access is granted.]
- (3) Indices checks are not required for non-sensitive country national's access to non-sensitive subjects in a PPA or less restrictive areas.

For access requests that require completion of indices checks prior to the start of foreign national access, the request must be documented in FACTS in sufficient time to complete the indices checks. It is recommended that the request be entered into FACTS at least 45 days prior to the start date of the request to ensure adequate time for completion of indices checks. The approval authority may request a counterintelligence consultation in lieu of completion of the indices checks. Such requests will require approval from the head of the DOE field element and Senior Counterintelligence Officer (SCIO) and their agreement that there are exceptional or exigent circumstances justifying the request. A consultation may not be used for an access request that is for employment purposes. For requests involving nationals of SSTs or Country of Risk foreign national access to restricted technology or information as identified in the S&T Risk Matrix, counterintelligence consultations may not be utilized until 60 days after requests are documented in FACTS. Counterintelligence consultations may not be employed as a standard alternative to indices checks. 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.

1. Documentation. FACTS is the Department's official national database on unclassified foreign national access requests. Access to FACTS is limited to U.S. citizens. All required information regarding access requests that require documentation, as detailed in this Order, must be entered into FACTS.
  - (1) Closeout Information. Information documenting the final status of access requests must be entered into FACTS within 15 days after the last day of access. This information includes the closeout status, closeout comments, and actual start and end dates for access that have taken place. Closeout statuses include: Completed, Canceled Before or After Approval, Denied, or No Show.
  - (2) SME reviews, when conducted in compliance with SSP requirements, must be documented in FACTS.
- m. Restriction on Foreign National Supervision of Cleared Employees. Nationals of CORs, SSTs, or other designated countries on the Sensitive and Other Designated Countries List may not serve as the direct supervisor to a cleared contractor employee, absent a waiver from the head of the cognizant HQ departmental or field element.

- (1) The head of the cognizant HQ departmental or field element will make the decision whether to grant or deny a waiver request through a standardized process informed by a risk assessment provided by the DOE Office of Intelligence and Counterintelligence. [NOTE: The granting of a waiver does not mean that the foreign national supervisor may access classified information derived from their supervision of the cleared contractor employee and does not release the cleared contractor employee from all requirements to protect classified material to which they have been granted access.]
- (2) Granted waivers are valid for a period of two years, at which point a new waiver request should be submitted for reassessment.

n. Prohibition on Admittance for Citizens or Agents of Covered Foreign Nations (CFN) to Specified Facilities (FY2025 NDAA Section 3112(c)).

- (1) Absolute Prohibition: Notwithstanding any other provision of this Order, access by any citizen or agent of a 'Covered Foreign Nation' (People's Republic of China, Russian Federation, Democratic People's Republic of Korea, and Islamic Republic of Iran) to any of the following facilities is absolutely prohibited and cannot be approved through any internal administrative process of this Order:
  - (a) Any facility of a national security laboratory (i.e., Los Alamos National Laboratory, Lawrence Livermore National Laboratory, Sandia National Laboratories).
  - (b) Any nuclear weapons production facility.
  - (c) Any site that directly supports the protection, development, sustainment, or disposal of technologies or materials related to the provision of nuclear propulsion for United States naval vessels.
  - (d) Areas accessible to the general public at such facilities are exempt from this prohibition.
- (2) Statutory Waiver Process: Admittance under this statutory prohibition may only occur if the Secretary of Energy (or, for NNSA-cognizant facilities, the NNSA Administrator) grants a waiver on a case-by-case basis. Such a waiver must include a written certification to the congressional defense committees that the admittance is in the national security interest of the United States. A statutory waiver, once granted and certified to Congress, permits the individual to proceed with access; however, all other applicable requirements of this Order (e.g., indices checks, host responsibilities, site security plan compliance, duration limits not superseded by the waiver terms) remain in effect.

5. RESPONSIBILITIES.a. Secretary of Energy.

- (1) Establishes DOE policies, procedures, and requirements for foreign national access to DOE sites, information or technologies.
- (2) Assigns access approval authority to the Deputy Secretary and Under Secretaries for requests for access by nationals of SSTs, consistent with the policies and requirements of this Order.
- (3) Grants statutory waivers for access by citizens or agents of Covered Foreign Nations to specified facilities, and ensures certification to congressional defense committees, in accordance with FY2025 NDAA Section 3112(c), as detailed in Section 4.n of this Order.

b. Administrator of the National Nuclear Security Administration (NNSA).

- (1) Ensures that NNSA employees comply with their responsibilities under this Order.
- (2) Grants statutory waivers for access by citizens or agents of Covered Foreign Nations to NNSA-cognizant specified facilities, and ensures certification to congressional defense committees, in accordance with FY2025 NDAA Section 3112(c), as detailed in Section 4.n of this Order.
- (3) Establishes Administration-specific policies, unless disapproved by the Secretary, pursuant to section 3212(d) of Public Law 106-65, consistent with this Order and all applicable statutory requirements.

c. Under Secretaries.

- (1) Approve/disapprove foreign national access requests based on the current S&T Risk Matrix or delegate this authority per paragraph 4.i.(2).
- (2) Determine when a broad approval applies to foreign national access requests as discussed in section 4.i.(2).
- (3) Provide the final determination with respect to authorizing the access of a foreign national if the Cognizant Secretarial Officer (CSO) and the Director of Intelligence and Counterintelligence do not agree on the assessment of the potential risk or the proposed mitigation factors related to the access request.

- d. Under Secretary for Science.
  - (1) Maintains and updates, as needed, the definition of sensitive subjects for the purposes of this Order, in consultation with the Under Secretary of Energy and with the concurrence of the Under Secretary for Nuclear Security.
  - (2) Convenes a working group consisting of representation from each of the Cognizant Secretarial Officers that will coordinate the maintenance of the definition of sensitive subjects for the purposes of this Order and conduct an annual review of the definition.
  
- e. Cognizant Secretarial Officers (CSOs).
  - (1) Ensure that facilities under their cognizance have implemented this Order.
  - (2) Notify contracting officers of affected site/facility management contractors to incorporate the CRD of this Order into their contracts.
  - (3) Ensure that procurement requests for new non-site/non-facility management contracts require inclusion of the CRD to this Order in the resulting contracts, if appropriate.
  - (4) Ensure systematic review of field and local site approvals for which the CSO has responsibility to ensure that program-specific guidance is followed, corrective action is taken as appropriate, and line management responsibilities associated with the presence of foreign nationals are met.
  - (5) Review and concur/non-concur on foreign national access requests based on the current S&T Risk Matrix.
  - (6) Participate in the maintenance and annual review of the sensitive subject definition.
  - (7) Provide a determination with respect to authorizing the access of a foreign national if the cognizant Head of Field Element does not agree with the assessment of the potential risks by the cognizant field or HQ counterintelligence officer. This determination will be made in coordination with the Director, Office of Intelligence and Counterintelligence, and provide any mitigation factors that may be needed for this foreign national access request.
  - (8) Coordinate with the Deputy Director, Counterintelligence Directorate, and maintenance of the Organizations of Concern (OOC) list.
  
- f. Program Secretarial Officers (PSOs). Review and concur/non-concur on foreign national access requests based on the current S&T Risk Matrix.

g. Heads of Headquarters Departmental Elements.

- (1) Review procurement requests for new non-site/non-facility management contracts and, if appropriate, ensure that the CRD of this Order is included in the contracts.
- (2) Serve as the foreign national access requests approval authorities for HQ activities and/or offices within their organizations and may reassign approval authority to other U.S. citizen employees, as appropriate.
- (3) Develop and implement operating procedures for approving foreign national access to HQ program and contractor personnel, sites, information and organizations in compliance with the requirements of this Order.
- (4) Designate points of contact (POCs) for foreign national access and provide contact information to the Office of Environment, Health, Safety and Security.
- (5) Provide guidance and ensure oversight support to HQ program managers and field elements regarding foreign national access to potentially sensitive subjects, technologies, and information in unclassified program activities.
- (6) Ensure a systematic and effective process to provide managers, planners, and hosts with appropriate guidance regarding technologies and information that could lead to sensitive or export-controlled areas, and to ensure that sensitive or export-controlled technologies and information are properly identified.
- (7) Direct contracting officers in their organizations to incorporate the CRD of this Order into all contracts that may involve foreign national access.
- (8) Determine if proposed HQ foreign national access requests require an enhanced review process based on the current S&T Risk Matrix and submit such requests as appropriate.

h. Heads of Field Elements.

- (1) Review procurement requests for new non-site/non-facility management contracts and, if appropriate, ensure that the requirements of the CRD of this Order are included in the contracts.
- (2) Serve as approval authorities for foreign national access requests to the DOE field element and may reassign approval authority to other U.S. citizen employees, as appropriate.

- (3) Serve as the approval authority for foreign national access requests to sites under their cognizance and delegate, where appropriate, such approval authority to site management officials and laboratory directors under their cognizance.
- (4) Designate POCs for foreign national access and provide contact information to the Office of Environment, Health, Safety and Security.
- (5) Provide a determination with respect to authorizing the access of a foreign national if the designated approval authority does not agree with the assessment of the potential risks by the cognizant field or HQ counterintelligence officer. This determination will be made in coordination with the cognizant field or HQ counterintelligence officer and will provide any mitigation factors that may be needed for this foreign national access request.
- (6) Incorporate all CSO guidance into local management processes for approving foreign national access to field element sites, information, and organizations.
- (7) When a CI consultation is requested by the hosting site in lieu of indices, coordinate with the Senior Counterintelligence Officer (SCIO) to determine whether there are exceptional or exigent circumstances justifying the request.
- (8) In coordination with the hosting site, determine if proposed foreign national access requests require an enhanced review process based on the current S&T Risk Matrix and, where appropriate, submit such requests.
- (9) Heads of government-owned, government-operated (GOGO) sites and sites not under the cognizance of a DOE field element fulfill the responsibilities of the Heads of DOE Field Elements and Contracting Officers as appropriate.

i. Heads of Hosting Sites.

- (1) Consistent with the assignment of approval authority through the line management chain, serve as approval authorities for foreign national access activities and programs at their sites.
- (2) Implement the foreign national access activities consistent with guidance and direction from the appropriate DOE element with direct responsibility for program performance.
- (3) Designate POCs for foreign national access activities, and provide contact information to the Office of Environment, Health, Safety and Security.

- (4) Ensure that guidance is issued and followed, corrective actions are implemented as appropriate, and responsibilities associated with the presence of foreign nationals are met.
  - (5) Ensure systematic, effective processes to provide managers, planners, and hosts with appropriate guidance regarding 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.
  - (6) In coordination with the cognizant field element, determine if proposed foreign national access requests require an enhanced review process based on the current S&T Risk Matrix and, where appropriate, submit such requests.
- j. Hosts of Foreign Nationals. The DOE office hosting a foreign national is responsible for the conduct and activities of the foreign national they host, and must ensure the following requirements are met:
- (1) Individual hosts are identified to the foreign national as their POC.
  - (2) Compliance with all requirements for access approval and conduct, including timely, complete, and accurate information for FACTS, compliance with SSP requirements, program sponsorship, and notification to workers regarding requirements as appropriate.
  - (3) Suspicious activities are reported in accordance with local reporting requirements.
  - (4) The span of control of an individual host is reasonable (e.g., limit on the number of foreign nationals being hosted by a single individual) to effectively meet these requirements.
  - (5) The DOE office must ensure that individuals identified as hosts meet the following requirements:
    - (a) Foreign nationals hosting other foreign nationals must be DOE employees.
    - (b) Nationals of state sponsors of terrorism (SST) may not host other foreign nationals.
    - (c) Nationals of countries of risk (COR) may not host other nationals of CORs, SSTs, or other designated countries on the Sensitive and Other Designated Countries List.
    - (d) Have technical competence (i.e., knowledge of the work) to understand the activities that the foreign national will be performing.

- (e) Understand their responsibilities and the processes by which they are carried out.
- (6) The DOE office must provide the following information to the foreign nationals being hosted:
  - (a) The terms and conditions of access approval, including restrictions and requirements for access, requirements to notify the host of changes in name, immigrant/nonimmigrant status, and other information as required.
  - (b) The requirement to notify the host responsible of any civil or criminal problems that could affect their status and association with DOE.
  - (c) That the failure to provide appropriate documentation when required, or providing fraudulent documentation, will result in suspension of access approval, removal from the site, and possible cancellation of future access.
- k. Escorts.
  - (1) Ensure that foreign nationals working or traveling within a site are escorted when required, as identified by the SSP, to ensure that there is no unauthorized access.
  - (2) Comply with all requirements for escorts as identified in the SSP.
- l. Director, Office of Environment, Health, Safety and Security.
  - (1) Develops the policy baseline and incorporates operational requirements into DOE-wide guidance for foreign national access activities.
  - (2) Establishes and chairs foreign national access working groups as required.
  - (3) Ensures that HQ program, staff, and Secretarial Office policy requirements for foreign national access approvals are incorporated into the foreign national access policy.
  - (4) Defines, develops, and manages FACTS capabilities to provide operational and analytical support and accountability.
  - (5) Develops and implements user training for FACTS.
  - (6) Provides policy and technical assistance and support to HQ and field elements.

- (7) Develops and coordinates testimony, internal and external reporting, and responses to requests for information regarding the DOE foreign national access activities.
- (8) Develops security policy for the foreign national access approval process consistent with U.S. and DOE national security policies and objectives.
- (9) Provides information on the requirements of foreign national access policy for inclusion in the Security Survey Program.

m. Director, Office of Intelligence and Counterintelligence.

- (1) Supports the unclassified foreign national access approval process by analyzing and coordinating issues of counterintelligence with other Federal agencies and provides general and specific advice on potential risks associated with foreign national access requests to DOE elements.
- (2) Consults the relevant CSO if the cognizant Head of Field Element does not agree with the assessment of the potential risks by the cognizant field or HQ counterintelligence officer or the proposed mitigation factors related to the request.
- (3) Consults the relevant Under Secretary and CSO if the CSO and the Director of Intelligence and Counterintelligence do not agree on the assessment of the potential risk or the proposed mitigation factors related to this access request.
- (4) Coordinates with the Office of Defense Nuclear Nonproliferation on the maintenance of the Sensitive and Other Designated Countries List related to nonproliferation and technology transfer.
- (5) Maintains the Sensitive and Other Designated Countries List in coordination with appropriate HQ offices, including, but not limited to, the CSOs.
- (6) As appropriate, consults with the Heads of Field Elements and other cognizant Departmental Elements on the review of a foreign national access request that requires an enhanced review process based on the current S&T Risk Matrix.

n. Deputy Director, Counterintelligence Directorate, Office of Intelligence and Counterintelligence.

- (1) Identifies counterintelligence requirements applicable to the management of unclassified access approval for foreign nationals to DOE sites, information, or technologies.

- (2) Provides advice to HQ approval authorities and supports field counterintelligence officers with guidance on foreign national access issues.
  - (3) Ensures that local capability and expertise are available to provide effective counterintelligence advice to local approval authorities regarding access approval requests.
  - (4) Coordinates the external indices checks process with the appropriate U.S. Government agencies.
  - (5) Documents and maintains DOE-wide information on requests for and completion of indices checks.
  - (6) Develops requirements and processes for specialized enhanced vetting for the review of certain foreign national access requests based on the current S&T Risk Matrix.
  - (7) Pursuant to paragraph 4.h, advises the Secretary, Deputy Secretary, and Under Secretaries regarding access requests involving nationals of countries identified as SSTs, as requested.
  - (8) Develops and maintains, in coordination with the CSOs, a tiered list of Organizations of Concern (OOC).
- o. Headquarters and Field Counterintelligence Officers.
- (1) Review requests for foreign national access approval for CI and counterterrorism implications involving countries on the Sensitive and Other Designated Countries List by:
    - (a) Facilitating indices checks as required by this Order;
    - (b) Advising local approval authorities, prior to access approval, on all Country of Risk foreign national access requests; and
    - (c) Advising local approval authorities, prior to access approval, on foreign national access requests not at user facilities involving other designated countries on the Sensitive and Other Designated Countries List.
  - (2) Ensure the OOC list is used when reviewing all foreign national access requests covered by this Order.
  - (3) At the request of the hosting site, provide CI consultations to the approval authority, or to his or her assignee(s), to evaluate foreign national access requests in the absence of completed indices checks required prior to access, and document consultations in FACTS.

- (4) Conduct briefings and debriefings of hosts, sponsors, and escorts of foreign nationals.
- p. Deputy Administrator, Defense Nuclear Nonproliferation.
- (1) Analyzes and develops policy guidance for the foreign national access process in the areas of export control, technology transfer, and nonproliferation.
  - (2) Provides advice and guidance to DOE elements on export controls, technology transfer, and nonproliferation issues related to potential and actual foreign national access approvals.
  - (3) Performs specific subject matter export control, technology transfer, and nonproliferation reviews of foreign national access requests, as requested, and ensures that these reviews are documented in FACTS.
- q. Assistant Secretary for Policy and International Affairs. As the DOE point of contact with the Department of State in international organizations, provides advice and information to the Office of Environment, Health, Safety and Security concerning the policies and procedures promulgated in this Order.
- r. General Counsel. Provides review and advice on all legal issues relating to approval of unclassified foreign national access to DOE facilities and information.
- s. NNSA Office of General Counsel. Provides review and advice on all legal issues relating to approval of unclassified foreign national access to NNSA facilities and information.
- t. Chief Information Officer (CIO). Drafts policy for issuance by the Secretary of Energy or Deputy Secretary regarding protective measures required for foreign national cyber security access approval, whether onsite or by remote access.
- u. Deputy Administrator for Naval Reactors. In accordance with the responsibilities and authorities assigned by Executive Order 12344, codified at Title 50 U.S.C. sections 2406 and 2511, and to ensure consistency through the joint Navy/DOE organization of the Naval Nuclear Propulsion Program, implements and oversees requirements and practices pertaining to this Order for activities under the Deputy Administrator's cognizance, as deemed appropriate.
- v. Contracting Officers.
- (1) After notification by the appropriate program official, incorporate the CRD of this Order into affected existing contracts via the laws, regulations, and DOE Directives clauses of the contracts.

- (2) Assist originators of procurement requests who want to incorporate the CRD of this Order in new non-site/non-facility management contracts, as appropriate.
  - (3) Provide notification of DOE's determination related to access requests associated with the S&T Risk Matrix.
6. INVOKED STANDARDS. This Order does not invoke any DOE technical standards or industry standards as required methods. Note: DOE O 251.1D, Appendix J provides a definition for "invoked technical standard."
7. REFERENCES. Find DOE directives online at [www.directives.doe.gov](http://www.directives.doe.gov).
  - a. Title 10, Code of Federal Regulations, Nuclear Regulatory Commission, *Export and Import of Nuclear Equipment and Material*, Part 110.
  - b. Title 10, Code of Federal Regulations, Energy, Chapter III, *Assistance to Foreign Energy Activities*, Part 810.
  - c. Title 15, Code of Federal Regulations, Commerce and Foreign Trade, *Export Administration Regulations*, Parts 730-744.
  - d. Title 22, Code of Federal Regulations, Chapter I, Department of State, *International Traffic in Arms Regulations*, Parts 120-130.
  - e. Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025, Public Law 118-159 (December 23, 2024), Sections 3112 and 6432.
  - f. Presidential Decision Directive 61, *Energy Department Counterintelligence (U)*, dated February 1999. This document is classified (Confidential). For more information, contact the Office of Intelligence and Counterintelligence.
  - g. Homeland Security Presidential Directive-2, *Combating Terrorism Through Immigration Policies*, dated October 29, 2001.
  - h. National Security Decision Directive 189, *National Policy on the Transfer of Scientific, Technical and Engineering Information*, dated September 21, 1985.
  - i. *National Security Presidential Memorandum on United States Government-Supported Research and Development National Security Policy (NSPM-33)* dated January 14, 2021.
  - j. 5 U.S.C 552a, *Privacy Act of 1974*, as amended.
  - k. DOE O 206.1, *Department of Energy Privacy Program*, current version.
  - l. DOE P 485.1, *Foreign Engagements with DOE National Laboratories*, current version.

- m. DOE O 142.2, *Voluntary Offer Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency*, current version.
  - n. DOE O 205.1, *Department of Energy Cybersecurity Program*, current version.
  - o. DOE O 243.1 *Records Management Program*, current version.
  - p. DOE O 251.1, *Departmental Directives Program*, current version.
  - q. DOE O 470.1, *Safeguards and Security Program Operations Management*, current version.
  - r. DOE O 470.6, *Technical Security Program*, current version.
  - s. DOE O 471.7, *Controlled Unclassified Information*, current version.
  - t. DOE O 473.1, *Physical Protection Program*, current version.
  - u. DOE O 473.2, *Protective Force Operations*, current version.
  - v. DOE O 475.1, *Counterintelligence Program*, current version.
8. DEFINITIONS. Terms used for the purpose of this Order are defined in Attachment 2.
9. CONTACT. Questions concerning this Order should be addressed to the Office of Environment, Health, Safety and Security at 301-903-0352.

BY ORDER OF THE SECRETARY OF ENERGY:



JAMES P. DANLY  
Deputy Secretary

**ATTACHMENT 1**  
**CONTRACTOR REQUIREMENTS DOCUMENT**  
**DOE O 142.3C, UNCLASSIFIED FOREIGN NATIONAL ACCESS PROGRAM**

This Contractor Requirements Document (CRD) and Attachment 2 (Definitions) establish requirements and provide information for Department of Energy (DOE) and National Nuclear Security Administration (NNSA) contractors, whose contracts involve foreign national physical or remote access to DOE/NNSA-owned or leased sites, information, or technologies.

Regardless of the performer of the work, the contractor is responsible for complying with the requirements of this CRD. The contractor is responsible for flowing down the requirements of this CRD to subcontractors at any tier to the extent necessary to ensure the contractor's compliance with the requirements.

1. **PURPOSE.** The Department of Energy (DOE) unclassified mission focuses on the critical challenges of our time, for both the country and the world. While much of this unclassified mission work is performed in collaboration with the international community, the federal government simultaneously holds a responsibility to protect its assets and deny unauthorized access to sites, information, or technologies. This program defines the requirements for unclassified foreign national access to DOE sites, information, or technologies by establishing requirements for the following:
  - a. A risk-based review and approval process for foreign national access consistent with United States (U.S.) law; export control regulations; national and economic security; and DOE program-specific policies, requirements, and objectives.<sup>5</sup>
  - b. A process for documenting and tracking foreign national access to DOE sites and access to DOE information or technologies.
  
2. **EXEMPTIONS.**
  - a. Unclassified events and activities outside the U.S. or its territories.
  - b. Dual citizens, only if one citizenship is U.S. citizenship.
  - c. Requests for access to information that is not a sensitive subject as defined by this Order and in accordance with applicable procedures (i) is already available to the public or (ii) has been documented to be published and shared broadly within the scientific community. [NOTE: Physical access to a site will follow normal site security procedures, including the applicable requirements of this Order.]

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<sup>5</sup> This Order serves as DOE's policy to assess the counterintelligence risk that covered visitors or covered assignees pose to the research or activities undertaken at the National Laboratories, as required by Sec. 6432 of the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025, Public Law 118-159 (December 23, 2024) (FY2025 NDAA). In addition, any legal prohibition on admittance including under section 3112(c) of the FY2025 NDAA must be applied first in accordance with applicable DOE guidance before proceeding with any request under this Order.

- d. Requests for access to information (e.g., technical specifications, project data, research results) by foreign nationals from countries that are formally part of a specific DOE program-sponsored international collaboration project under a DOE or U.S. Government-level bilateral or multilateral international agreement (e.g., Deep Underground Neutrino Experiment at Long-Baseline Neutrino Facility, Proton Improvement Plan-II, Vera C. Rubin Observatory (formerly the Large Synoptic Survey Telescope (LSST)), Dark Energy Search Collaboration). This applies only to information generated under these projects and agreed to be shared among the participants. [NOTE: Physical access to a site that would otherwise be within this exemption will follow normal site security procedures, including the applicable requirements of this Order.]
- e. Information exchanges conducted remotely by HQ program offices and supporting laboratory and contractor personnel, in direct support of DOE/NNSA nonproliferation, counterproliferation, counterterrorism. [NOTE: Physical access to a site that would otherwise be within this exemption will follow normal site security procedures, including the applicable requirements of this Order.]
- f. Unclassified information exchanges conducted by DOE employees and supporting laboratory and contractor personnel who are foreign nationals approved in FACTS under a specific DOE-related work assignment. These individuals can participate in virtual and in-person meetings, discussions, and phone calls with other DOE federal and contractor employees outside of their duty station to perform the duties specified in their FACTS assignment. [NOTE: Physical access to a site that would otherwise be within this exemption will follow normal site security procedures, including the applicable requirements of this Order.]
- g. Public events held on or off DOE sites.
- h. Certain activities within General Access Areas (GAA):
  - (1) Personal visits.
  - (2) Third-party events (i.e., not related to the DOE mission) hosted at the site.
  - (3) Access by foreign national delivery, service, and vendor personnel (Note: Also exempt in other areas outside of GAA if fully escorted and compliant with other relevant security requirements).
  - (4) Foreign nationals performing construction activities.
- i. Foreign national emergency response and medical personnel who require access for emergencies.
- j. Access by foreign nationals 17 years of age or younger who are involved in non-work-related activities.

- k. International Atomic Energy Agency (IAEA) inspections, as defined in the “Agreement between the United States and the IAEA for the Application of Safeguards in the United States.”
  - l. Mutual Defense Agreement (MDA) visits do not fall under this Order; MDA visits follow the applicable Administrative Arrangements and DOE O 470.1.
3. **REQUIREMENTS.** Foreign national access requests to DOE sites, information, or technologies will be reviewed based on all the information provided and any potential impacts on site or program operations. All access requests must include all applicable data elements outlined below and any additional information required by the Foreign Access Central Tracking System (FACTS). Access requests involving the following must not exceed two years continuous duration from the start date: requests by foreign nationals from countries on the Sensitive and Other Designated Countries List (SCL), to include State Sponsors of Terrorism (SST) Countries of Risk (COR) and Covered Foreign Nations (CFN)<sup>6</sup>; access requests to a physical security area more restrictive than a Property Protection Area (PPA); or access requests for sensitive subjects. In other situations, an approved access request must not exceed four years in continuous duration. For the purposes of this Order, continuous duration means a single uninterrupted period. However, access requests can only be valid for the duration of the lawful immigration status of the foreign national regardless of the length of the access request. If the foreign national requesting access has multiple country affiliations, the requirements are applied based on the country that has the most associated restrictions as identified in this Order based on country category (State Sponsor of Terrorism, Country of Risk, Covered Foreign Nation, or Other Designated Country).

A determination of access approval is required before each access request is granted and must ensure that any identified risk to the Government associated with the access granted has been appropriately evaluated and mitigated, including a review against the Science and Technology (S&T) Risk Matrix. All access approvals must be made by U.S. citizens, are valid for the duration of access request, and must be documented in FACTS no later than the first day of access.

- a. **Access Request.** Each foreign national access request must include the following items:
  - (1) Identification of the information or technology(ies) to be accessed, and whether considered a sensitive subject as defined by this Order.
  - (2) Identification of the area(s) (e.g., GAA, PPA) to be accessed for all physical access requests.
  - (3) Justification for the requested access, including specific activities or involvement.

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<sup>6</sup> Refer to Section 4, subsection n for Prohibition on Admittance for Citizens or Agents of Covered Foreign Nations (CFN)

- (4) Identification of the DOE/NNSA program or sub-element and its mission advanced by the access.
  - (5) Proposed start and end date of access request which cannot exceed the duration identified in paragraph 3 above (NOTE: Access requests can only be valid for the duration of the lawful immigration status of the foreign national regardless of the length of the access request).
  - (6) The Required Data Elements in Attachment 3, as applicable.
- b. Supplemental Foreign National Access Questionnaire. A Supplemental Foreign National Access Questionnaire must be submitted and entered into FACTS in support of all foreign national access requests for individuals affiliated with SST or COR countries. The data fields for this questionnaire are defined in Attachment 3.
  - c. Curriculum Vitae (CV). A CV must be provided for all non-SST and non-COR foreign nationals conducting research at laboratories and entered into FACTS. CVs must include all employment activities from the age of 18 years and provide all foreign national's science and technology specialties. CVs must also include the current/accurate name of all academic institutions attended and all degrees/diplomas earned. There should be no lapses in time over the past 10 years.
  - d. Foreign National Certification Statement. The DOE office or contractor responsible must provide the following statement to each foreign national who requires a curriculum vitae (CV) or equivalent document and is requesting access. This statement must be signed by the foreign national, certifying that all information provided is complete and accurate.

I, [Full Name and Title], certify to the best of my knowledge and belief that the information provided by me in a CV or equivalent document and related to my immigration status is true, complete, and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (18 U.S.C. §§ 287, 1001, and 1031 and 31 U.S.C. §§ 3729-3733 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to the U.S. Department of Energy's (DOE) decision to provide access to DOE/NNSA sites, information or technology; and (2) I have a responsibility to update the information provided should circumstances change which impact such information.

Signature: \_\_\_\_\_ [Full Name and Title]

Date:

- e. FACTS Data Entry and Updates. The Supplemental Foreign National Access Questionnaire or CV, as required in 3.b and 3.c, respectively, must be entered in electronic form into the FACTS database.
- (1) The contractor shall require foreign nationals to provide information on changes in employment within 30 days of such a change.
  - (2) Prior to access being granted: If the contractor determines or becomes aware of additional information associated with the foreign national requesting access that is materially relevant to the risk-based process described in this CRD, the access request for such foreign national must not be approved until the additional information is considered as part of the review of the request for access.
  - (3) After initial access is granted: If after initial access is granted, the contractor determines or becomes aware of additional information associated with the foreign national that is materially relevant to the risk-based process described in this CRD, the foreign national's access must be reviewed based on that additional information and the contractor must determine within 30 days to either suspend, revoke, or continue the current access. If access is suspended, the contractor has 45 additional days to make a final decision to revoke or continue the access.
  - (4) For the situations described in (2) and (3) above, the contractor shall consult with the cognizant office within the Office of Intelligence and Counterintelligence prior to making any final determinations.
  - (5) To the extent that the contractor determines that any misrepresentation or omission described in (1), (2), or (3) above, was deliberate or intentional, the access for the foreign national may be denied or revoked.
- f. Site Security Plan (SSP). The SSP must include the requirements and procedures used to process foreign national access requests at the site. The SSP, as approved by the Officially Designated Federal Security Authority (ODFSA), must include requirements to ensure:
- (1) appropriate documentation describing the process for application of the exemptions listed in this Order, particularly the CRD exemption in paragraph 2.f allowing information exchanges with DOE employees and contractors outside of the individual's duty station;
  - (2) appropriate delegation of approval authority to the site management official or laboratory director, and any related procedures;
  - (3) that appropriate export control and technology transfer reviews, and determinations of export license requirements, are conducted;
  - (4) that nationals of state sponsors of terrorism (SST) do not host other foreign

nationals;

- (5) that nationals of countries of risk (COR) do not host other nationals of CFNs, CORs, SSTs or other designated countries on the Sensitive and Other Designated Countries List;
- (6) coordination with designated Counterintelligence (CI) and Intelligence (IN) elements;
- (7) site-specific subject matter expert (SME) reviews, escort, and host requirements;
- (8) that the span of control of an individual host is reasonable (e.g., limit on the number of foreign nationals being hosted by a single individual); and
- (9) that nationals of CFNs, CORs, SSTs, or other designated countries on the Sensitive and Other Designated Countries List may not serve as the direct supervisor to a cleared contractor employee, absent a waiver from the head of the cognizant HQ departmental or field element.

- g. Lawful Immigration Status, Citizenship, and Identity. Sufficient documentation of immigrant or nonimmigrant status, citizenship, and identity is required for all foreign nationals 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, including those who have received Delayed Action for Childhood Arrivals (DACA) status) to be in the

U.S. The lawful immigration status of foreign nationals must be valid for the duration of the access request. There is an exception for intermittent periods by foreign nationals entering the U.S. under the State Department Visa Waiver Program, temporarily for business or pleasure, or for Canadian citizens who do not require entrance visas.

- h. Assignment of Approval Authority. Approvals for foreign national access must be consistent with line management accountability requirements.

Field Sites. Approval authority and accountability for foreign national access to a Departmental site and associated information or technology is the head of the cognizant field element for that site. The Head of the cognizant field element may make final approval determinations for access requests involving sensitive country nationals, non-sensitive country nationals, and nationals of SSTs that are lawful permanent residents (LPRs). The head of the cognizant field element may delegate approval authority to the site management official or laboratory director after demonstration of adequate procedures to handle these access requests. When the site management official or laboratory official is not a U.S. citizen, the head of the cognizant DOE field element may delegate approval authority and accountability to only an individual who is a U.S. citizen. All site or facility approval authorities must be defined in the SSP.

A site management official or laboratory director may reassign approval authority to other U.S. citizen employees within their organization. Further reassignment or delegation of approval authority is not allowed. A site management official or laboratory director must reassign or delegate approval authority in writing and document this action in the SSP. Site management officials and laboratory directors are accountable for all access approval decisions made by themselves or by those to whom they have delegated or reassigned approval authority.

- i. Country of Risk. Country of Risk foreign nationals' access to certain restricted technology or information as identified in the Science and Technology (S&T) Risk Matrix must undergo an enhanced review process as described below in paragraphs (1)-(3). All proposed access requests in areas not identified as restricted in the S&T Risk Matrix can proceed with the access review and approval process as required by this Order.<sup>7</sup>
- j. Requests for access to conduct research under a User Agreement at an Office of Science, Critical Minerals and Energy Innovation, or Nuclear Energy User Facility at a non-NNSA DOE laboratory are exempt from the review requirements related to the S&T Risk Matrix discussed below. All other requirements of this Order apply to these access requests.
  - (1) A request for access is reviewed by the site, in coordination with the Head of the cognizant DOE Field Element, to determine if the access request is in an area identified as restricted in the current S&T Risk Matrix before submitting the proposed access request through the standard access request review and approval process promulgated by this Order. When an access request is from a Country of Risk foreign national and in an area identified as restricted in the current S&T Risk Matrix, the cognizant DOE Field Element must agree to proceed with the enhanced review process. Absent this agreement the proposed access request is not pursued any further.
  - (2) When the Head of the cognizant DOE Field Element agrees to proceed with the enhanced review process, a justification and clear description of why the access request benefits the U.S. must be prepared. The access request must then be submitted through the appropriate Program Secretarial Officer (PSO) and Cognizant Secretarial Officer (CSO), with final approval/disapproval being provided by the cognizant Under Secretary or their designee.

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<sup>7</sup> A new review, based on the additional S&T Risk Matrix requirements, for individuals with existing access approvals at the time of publication of this Order is not required. These individuals will be assessed against the current S&T Risk Matrix requirements at the time of their next access authorization renewal.

- (3) Completion of specialized enhanced vetting conducted by the DOE Office of Intelligence and Counterintelligence (IN) is required prior to final approval of the access request. A copy of the request, along with the required additional information, must be submitted to the cognizant local CI office to support the review. Indices checks will be conducted as part of the specialized enhanced vetting process; therefore, it is recommended the request be submitted 45 days prior to the start date of the access request.
    - (4) DOE may consider broad approvals for specific categories of these types of access requests, such as those supported under government-to-government agreements and in line with National Security Council policy guidance, to ensure existing priorities are not unduly impeded. These broad approvals will be determined by the cognizant Under Secretary or their designee in consultation with the cognizant DOE Program Office.
  - k. Nationals of State Sponsors of Terrorism. Access requests for nationals of State Sponsors of Terrorism are subject to the absolute prohibition described in Section 4.n. Access requests for nationals of SSTs who are not LPRs 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 these access requests. Subsequent access requests extending currently approved and on-going access to a contractor site or laboratory may be approved by the contractor site or laboratory approval authority. For nationals of SSTs that are LPRs, final approval determination is at the site approval authority level.
  - l. Indices Checks. Indices checks are coordinated by the Office of Intelligence and Counterintelligence and must be requested through the process of documenting access requests in FACTS. Indices checks are valid for a period of two years from the completion date, as documented in FACTS by the Office of Intelligence and Counterintelligence. If the approved access request exceeds this two-year period, updated indices checks are automatically requested through FACTS prior to the current expiration date.
    - (1) The following access requests require completed indices checks prior to the start of the foreign national access:
      - (a) All access requests by nationals of SSTs and CORs.
      - (b) All access requests to a physical security area more restrictive than a Property Protection Area (PPA).

- (c) All access requests by all other sensitive country nationals to the DOE/NNSA national laboratories, sites, information, or technologies. [NOTE: The indices check for requests by other sensitive country nationals for access to conduct research under a User Agreement at an Office of Science, Critical Minerals and Energy Innovation, or Nuclear Energy User Facility at a non-NNSA DOE laboratory can be completed after access is granted.]
  - (d) All access requests for sensitive subjects. [NOTE: The indices check for access requests by non-sensitive nationals for sensitive subjects at sites with no classified work can be completed after access is granted.]
- (2) Indices checks are not required for non-sensitive country national access to non-sensitive subjects in a PPA or less restrictive areas.

For access requests that require indices checks prior to the start of foreign national access, the request for indices checks must be documented in FACTS in sufficient time to complete the indices checks. It is recommended that the request be entered into FACTS at least 45 days prior to the start date of the request to ensure adequate time for completion of indices checks. For access requests that require indices checks to be completed before access is granted, the approval authority may request a CI consultation in lieu of completion of the indices checks. Such requests require approval from the head of the DOE field element and Senior Counterintelligence Officer (SCIO) and their agreement that there are exceptional or exigent circumstances justifying the request. A consultation may not be used for an access request that is for employment purposes. For requests involving nationals of SSTs or Country of Risk foreign national access to restricted technology or information as identified in the S&T Risk Matrix, CI consultations may not be utilized until 60 days after requests are documented in FACTS. CI consultations may not be employed as a standard alternative to indices checks.

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.

- m. Documentation. FACTS is the Department's official national database on unclassified foreign national access requests. Access to FACTS is limited to U.S. citizens. All required information regarding access requests that require documentation, as detailed in this Order, must be entered into FACTS.

- n.
  - (1) Closeout Information. Information documenting the final status of access requests must be entered into FACTS within 15 days after the last day of access. This information includes the closeout status, closeout comments, and actual start and end dates for access that have taken place. Closeout statuses include: Completed, Canceled Before or After Approval, Denied, or No Show.
  - (2) SME reviews, when conducted in compliance with SSP requirements, must be documented in FACTS.
- o. Restriction on Foreign National Supervision of Cleared Employees. Nationals of CORs, SSTs, or other designated countries on the Sensitive and Other Designated Countries List may not serve as the direct supervisor to a cleared contractor employee, absent a waiver from the head of the cognizant HQ departmental or field element.
  - (1) The head of the cognizant HQ departmental or field element will make the decision whether to grant or deny a waiver request through a standardized process informed by a risk assessment provided by the DOE Office of Intelligence and Counterintelligence. [NOTE: The granting of a waiver does not mean that the foreign national supervisor may access classified information derived from their supervision of the cleared contractor employee and does not release the cleared contractor employee from all requirements to protect classified material to which they have been granted access.]
  - (2) Granted waivers are valid for a period of two years, at which point a new waiver request should be submitted for reassessment.

#### 4. RESPONSIBILITIES.

- a. Heads of Hosting Sites. Hosting sites may include contractor-operated field sites and national laboratories.
  - (1) Consistent with an authorized assignment of authority, serve as the approval authority for foreign national access requests within their organizations.
  - (2) Implement the foreign national access activities consistent with guidance and direction from the head of the DOE field element with direct responsibility for program performance.
  - (3) Designate points of contact (POCs) for foreign national access activities and provide contact information to the cognizant DOE field element and Cognizant Secretarial Officer (CSO), and to the Office of Environment, Health, Safety and Security.

- (4) Ensure that guidance is issued and followed, corrective actions are implemented as appropriate, and responsibilities associated with the presence of foreign nationals are met.
  - (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 to sensitive or export-controlled areas, and to ensure that sensitive or export-controlled technologies and information are identified.
  - (6) In coordination with the cognizant field element, determine if proposed foreign national access requests require an enhanced review process based on the current S&T Risk Matrix and, where appropriate, submit such requests.
- b. Hosts of Foreign Nationals. The contractor hosting a foreign national is responsible for the conduct and activities of the foreign national they host, and must ensure the following requirements are met:
- (1) Individual hosts are identified to the foreign national as his/her POC.
  - (2) Compliance with all requirements for access approval and conduct, including timely, complete, and accurate information for FACTS, compliance with SSP requirements, program sponsorship, and notification to workers regarding requirements as appropriate.
  - (3) Suspicious activities are reported in accordance with local reporting requirements.
  - (4) The span of control of an individual host is reasonable (e.g., limit on the number of foreign nationals being hosted by a single individual) to effectively meet these requirements, and the process for determining and maintaining this is documented in the contractor's SSP.
  - (5) The contractor must ensure that individuals identified as hosts meet the following requirements:
    - (a) Foreign nationals hosting other foreign nationals must be DOE contractor employees.
    - (b) Nationals of SST may not host other foreign nationals.
    - (c) Nationals of countries of risk (COR) may not host other nationals of CORs, SSTs, or other designated countries on the Sensitive and Other Designated Countries List.

- (d) The host must have technical competence (i.e., knowledge of the work) to understand the activities that the foreign national will be performing.
- (6) The contractor must provide the following information to the foreign nationals the contractor is responsible for hosting:
  - (a) The terms and conditions of access approval, including, restrictions and requirements for access, 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 required, or providing fraudulent documentation will result in suspension of access approval, removal from the site, and possible cancellation of future access.

c. Escorts of Foreign Nationals.

- (1) The contractor is responsible for ensuring that foreign nationals working or traveling within a site are escorted, when required, as identified by the SSP, to ensure there is no unauthorized access.
- (2) The contractor must also ensure compliance with all requirements for escorts identified in the SSP.

5. DEFINITIONS. Terms used for the purpose of this Order are defined in Attachment 2.

## ATTACHMENT 2 DEFINITIONS

This Attachment provides information applicable to contracts in which the CRD (Attachment 1 to DOE O 142.3C) is inserted.

1. Access Request. Seeking permission to enter a DOE site and/or use DOE information or technologies. This includes remote access to DOE information or technology.
2. Approval Authority. An individual who has been assigned responsibility and accountability to approve requests for access by foreign nationals to a DOE site, program, information, or technology.
3. Cognizant Secretarial Officer (CSO). Headquarters Assistant Secretaries, Deputy Administrator, and Directors responsible for oversight or institutional management of DOE/NNSA facilities.
4. Contractor. This term, for the purposes of this Order, means an entity that has a contract with DOE/NNSA that incorporates the CRD or its requirements.
5. Country of Risk. Any foreign country determined to be of risk, following consideration of, but not limited to, the Office of the Director of National Intelligence World Wide Threat Assessment and The National Counterintelligence Strategy of the United States of America, by the Under Secretary for Science in consultation with the Under Secretary of Energy; the Under Secretary for Nuclear Security; and the Office of Intelligence and Counterintelligence. The Countries of Risk are listed at:  
<https://www.energy.gov/science/office-science-laboratory-policy-research-security>
6. Covered Foreign Nation. The countries of the People's Republic of China; the Russian Federation; the Democratic People's Republic of Korea; and the Islamic Republic of Iran.
7. Curriculum Vitae (CV). A CV is a detailed document highlighting professional and academic history. A CV must include any education and employment history. There should be no lapses in time. CVs include extensive information on academic background, including teaching experience, degrees, research, awards, publications, presentations, and other achievements. In the absence of a CV, a resume may be used.
8. Dual Citizen. An individual who is a citizen of more than one country.
9. Foreign National. A person without U.S. citizenship or nationality (may include a stateless person).
10. General Access Area. A type of security area established to allow access to certain areas with minimum security requirements as determined by the cognizant security authority. These designated areas are accessible to all personnel including the public.

11. Heads of Departmental Elements. Heads of Departmental Elements include DOE’s Under Secretaries, Assistant Secretaries, the NNSA Administrator, Program Office Directors, Power Marketing Administrators, or equivalent DOE officials, or any other official(s) the Head of Departmental Element designates to carry out his or her responsibilities under this Order.
12. Heads of Field Elements/Field Office Managers. Officials who direct activities of DOE/NNSA field or site offices and field organizations reporting directly to Headquarters and serve as line management, site-level mission integrators, and as the authorizing officials for activities at the site on behalf of the Department.
13. Host. The DOE or DOE contractor employee responsible for the activities associated with foreign national access.
14. Indices Checks. A procedure whereby a request is made to appropriate U.S. Government agencies to determine whether information exists on a particular foreign national. Indices checks are valid for a period of two years from the indices completion date, as documented in the Foreign Access Central Tracking System (FACTS) by the Office of Intelligence and Counterintelligence.
15. Information. DOE information of a programmatic, scientific or technical nature, regardless of format or medium on which it is recorded, created, or possessed by the Government or a Contractor.
16. Lawful Permanent Resident (LPR). A foreign national who has the right to reside permanently and work in the United States. An LPR may also be known as a permanent resident alien or Green Card holder.
17. National of a Country of Risk. A foreign national who was born in, is a citizen of, is employed by, or represents a government, company, institution or other organization based in a country identified as a Country of Risk.
18. National of a State Sponsor of Terrorism. A foreign national who was born in, is a citizen of, is employed by, or represents a government, company, institution, or other organization based in a country on the Department of State list of State Sponsors of Terrorism.
19. National Security. The national defense and foreign relations of the United States.
20. Non-Sensitive Country National. A foreign national who was born in, is a citizen of, is employed by, or represents a government, company, organization, or institution that is in a country not on the Sensitive and Other Designated Countries List, not a Country of Risk, and not a State Sponsor of Terrorism as identified by the Department of State.
21. Organizations of Concern. For the purposes of this Order, organizations that are identified as possessing foreign intelligence or non-traditional collection risk to the Department.

22. Personal Visit. A Personal Visit does not include access to DOE or Contractor information or technology. Examples may include lunches with friends or relatives, retirement celebrations, or other social events.
23. Program Secretarial Officer (PSO). Headquarters Assistant Secretaries, Deputy Administrator, and Directors who have management responsibility for program planning, budgeting, and execution of DOE/NNSA mission program activities.
24. Public Event. Public events are those that include only information that is not protected by statute, regulation, or DOE policy, and are 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.
25. Property Protection Area. A type of security area having defined boundaries and access controls for the protection of Departmental property.
26. Research. Systematic investigation, including research, development, testing, and evaluation designed to develop, expand or contribute to general knowledge.
27. Science and Technology Risk Matrix (S&T Risk Matrix). Critical emerging research and technologies that require protection which do not otherwise have control mechanisms (e.g., classified information, International Traffic in Arms Regulations, export controls). The S&T Risk Matrix is intended to highlight areas of emerging and potential concern associated with economic and/or intellectual competitiveness and not to overlap or supersede existing controls associated with national security or commerce restrictions.
28. Sensitive and Other Designated Countries List (SCL). This list is DOE developed, maintained, and utilized in support of DOE policies and procedures guiding Departmental interactions with foreign nationals. The SCL is primarily used to identify when additional DOE internal reviews and approvals are required for foreign national access to DOE sites, information, or technologies. The SCL is also utilized in conjunction with DOE policies for review and approval of official foreign travel and to guide DOE personnel on reporting requirements for unofficial foreign travel.
29. Sensitive Country National. A foreign national who was born in, is a citizen of, or is employed by a government, employer, institution or organization of a country identified on the Sensitive and Other Designated Countries List.
30. Sensitive Subjects. Unclassified subjects and topics identified (i) as subject to Federal regulations governing export control, (ii) as research areas determined to be restricted in the current S&T Risk Matrix, and/or (iii) as Critical Energy Infrastructure Information (CEII), Unclassified Controlled Nuclear Information (UCNI), or Information Systems Vulnerability Information within the Controlled Unclassified Information (CUI) Registry.
31. Site. A geographical area where one or more facilities are located, or DOE-controlled land area including DOE-owned facilities (e.g., the Oak Ridge National Laboratory, the Nevada National Security Site, the Hanford Site, Idaho National Laboratory, the Pantex Plant).

32. Specialized Enhanced Vetting. Vetting conducted by the Office of Intelligence and Counterintelligence based on the individual's background required to support the S&T Risk Matrix enhanced review process and approval determination. The S&T Risk Matrix approval request, including the completed supplemental questionnaire, is utilized to perform an enhanced background check with Intelligence Community partners.
33. State Sponsors of Terrorism. Countries that have been identified by the Department of State as sponsors of groups and/or activities which support terrorism or terrorist activities. The list of state sponsors of terrorism is available at <https://www.state.gov/state-sponsors-of-terrorism/>.
34. Subject Matter Expert. An individual who is knowledgeable about the professional standards, requirements, and practices used within the discipline he/she represents (i.e., security, export control, technology transfer, counterintelligence, or intelligence).
35. Technology. Technology is derived from basic or applied research, development, engineering, technological demonstration, economic and social research, or scientific inquiry into phenomena or technology applications. It includes the use and application of scientific equipment, may be recorded or spoken, may be represented in a medium for storage of communication, and may be contained in computer software with scientific and technical applications.
36. Third-Party Events. Activities that a DOE site hosts that are not directly in support of the DOE mission; do not include information that is protected by statute, regulation, or DOE policy; and are determined to be releasable to the general public.
37. Talent Program. Talent Program has the same definition as the term Foreign Government-Sponsored Talent Recruitment Program in DOE Order 486.1A (current version) which means an effort directly or indirectly organized, managed, or funded by a foreign government to recruit science and technology professionals or students (regardless of citizenship or national origin, and whether having a full-time or part-time position). Some foreign government-sponsored talent recruitment programs operate with the intent to import or otherwise acquire from abroad, sometimes through illicit means, proprietary technology or software, unpublished data and methods, and intellectual property to further the military modernization goals and/or economic goals of a foreign government. Many, but not all, programs aim to incentivize the targeted individual to physically relocate to the foreign state for the above purpose. Some programs allow for or encourage continued employment at U.S. research facilities or receipt of Federal research funds while concurrently working at and/or receiving compensation from a foreign institution, and some direct participants not to disclose their participation to U.S. entities. Compensation could take many forms including cash, research funding, complimentary foreign travel, honorific titles, career advancement opportunities, promised future compensation, or other types of remuneration or consideration, including in-kind compensation.

**ATTACHMENT 3  
DATA ELEMENTS FOR SUPPLEMENTAL FOREIGN NATIONAL ACCESS  
QUESTIONNAIRE**

The data fields below must be collected as part of the Supplemental Foreign National Access Questionnaire that is required for foreign national access requests for individuals affiliated with State Sponsors of Terrorism or Countries of Risk. Data fields 1 and 4 must be collected for all foreign national access requests.

1. Contact Information:
  - a. All email addresses.
  - b. All phone numbers.
  - c. Current U.S. address (if applicable).
2. Work Experience:
  - a. Complete work history for the past 10 years or since the age of 18, whichever is shorter, with no lapses in time.
  - b. Include the name, email address, and phone number of the current supervisor.
3. Education History:
  - a. All education, to include names of all academic institutions attended, and all degree/diplomas earned.
  - b. For PhDs completed in the last 10 years, provide the names, email addresses, and phone numbers of PhD advisors.
4. Identification and Citizenship(s):
  - a. Current countries of citizenship(s).
  - b. Passport number(s) and expiration date(s).
  - c. List any other names used and the corresponding time periods.
  - d. Indicate if the individual has ever held dual or multiple citizenships. If so, provide country(ies) and timeframe(s).
5. Science & Technology Specialties:
  - a. All areas of expertise in science and technology.

6. Publications:
  - a. All published papers, including the names of coauthors.
7. Peer Review Activities:
  - a. Names of any journals for which the individual acts or has acted as a peer reviewer in the last 10 years.
8. Intellectual Property:
  - a. All patents (US or otherwise).
9. Sponsorship/Funding:
  - a. Information on what entity is currently sponsoring and/or funding the individual to work in the United States.
10. Government Funding:
  - a. Indicate if the individual has received funds from a CoR government in the last 7 years, including any talent program affiliations. If yes, provide details.
11. Military, Intelligence, or Security Service:
  - a. Indicate if the individual has ever served in a military, intelligence, or security service of a CoR government. If yes, provide organization(s) and timeframe(s).
12. Immediate Family Members:
  - a. To the best of the individual's knowledge, indicate if any immediate family members work for a CoR government. If yes, provide organization(s) and name(s).