

Approved: 10-2-02

SAFEGUARDS AND SECURITY AWARENESS PROGRAM



U.S. DEPARTMENT OF ENERGY

Office of Security

Distribution:
All Departmental Elements

Initiated By:
Security Policy Staff

SAFEGUARDS AND SECURITY AWARENESS PROGRAM

1. PURPOSE. To provide detailed requirements and procedures to supplement DOE O 470.1, *Safeguards and Security Program*, Chapter IV, “Safeguards and Security Awareness Program.”

2. APPLICABILITY.
 - a. DOE Elements. Except for the exclusions in paragraph 2c, this Manual applies to all Department of Energy (DOE) elements, including the National Nuclear Security Administration (NNSA), as listed on Attachment 1.

 - b. Contracts.
 - (1) The Contractor Requirements Document (CRD), Attachment 2, sets forth requirements of this Manual that will apply to contractors responsible for the management and operation of the DOE-owned facilities (hereafter referred to as site/facility management contractors) whose contracts include the CRD.

 - (2) The CRD must be included in the site/facility management contracts that contain DOE Acquisition Regulation (DEAR) clause 952.204-2 (48 CFR 952.204-2) titled “Security Requirements.”

 - (3) This Manual does not automatically apply to other than site/facility management contracts. Application of any of the requirements of this Manual to other than site/facility management contracts will be communicated separately from this Manual.
 - (a) Lead Program Secretarial Officers. Notify contracting officers of affected site/facility management contracts to incorporate the CRD of this directive into those contracts.

 - (b) Contracting Officers.
 - 1 Once notified, contracting officers are responsible for incorporating the CRD into the affected contracts via the “Laws, Regulations, and DOE Directives” clause of the contracts.

- 2 Assist originators of procurement requests who want to incorporate the clause at 48 CFR 952.204-2, Security requirements, and the requirements of the CRD of this directive in new non-site/facility management contracts, as appropriate.
- (c) Heads of Field elements, Headquarters Departmental Elements and the Power Marketing Administrations. Review procurement requests for new non-site/facility management contracts and, if appropriate, ensure that the clause at 48 CFR 952.204-2, Security requirements, and the requirements of the CRD of this directive are included in the contract.
- (4) As stated in DEAR clause 970.5204-2, “Laws, Regulations, and DOE Directives,” for site/facility management contracts, regardless of the performer of the work, site/facility contractors with the CRD incorporated into their contracts are responsible for compliance with the CRD. Affected site/facility management contractors are responsible for flowing down the requirements of the CRD to subcontracts at any tier to the extent necessary to ensure compliance with the requirements.
- c. Exclusions. Consistent with the responsibilities in Executive Order 12344 (as prescribed by 42 U.S.C. 7158), the Director of the Naval Nuclear Propulsion Program will determine the applicability of this Manual for activities and facilities under his/her control.
3. DEFINITIONS. Definitions of commonly used terms are provided in the “Safeguards and Security Glossary of Terms,” dated 12-18-95, which is maintained by the Security Policy Staff and available at www.directives.doe.gov/libraries/othersources/html.
4. DEVIATIONS. Deviations from this Manual must be processed in accordance with DOE O 470.1, paragraph 4f.
5. REFERENCES.
- a. DOE O 470.1, *Safeguards and Security Program*, 9-28-95, with Change 1, 6-21-96.
- b. DOE O 472.1B, *Personnel Security Activities*, 3-24-97.
- c. DOE M 472.1-1B, *Personnel Security Program Manual*, 7-12-01.

- d. Executive Order 12968, *Access to Classified Information*, 8-2-95.
 - e. Executive Order 12958, *Classified National Security Information*, 4-17-95.
 - f. Executive Order 12829, *National Industrial Security Program*, 1-6-93.
 - g. Presidential Decision Directive/NSC-12, *Security Awareness and Reporting of Foreign Contacts*, 8-5-93.
 - h. 32 CFR 2001, *Classified National Security Information*, Subpart D, *Security Education and Training*.
 - i. 32 CFR 2003.20, *Classified Information Nondisclosure Agreement: SF-312*.
 - j. DoD 5220.22-M, *National Industrial Security Program Operating Manual*, Chapter 3, "Security Training and Briefings," 1-95.
 - k. Memo from Secretary Richardson, "Implementation of Required Annual Counterintelligence Awareness Briefings," 8-6-99.
6. CONTACT. For information regarding this Manual, contact the Safeguards and Security Awareness Program Manager, SO-112, at 301-903-4803.



SPENCER ABRAHAM
Secretary of Energy

CONTENTS

1.	SAFEGUARDS AND SECURITY AWARENESS PROGRAM MANAGEMENT	1
2.	BRIEFINGS	3
3.	<i>CLASSIFIED INFORMATION NONDISCLOSURE AGREEMENT</i>	7
4.	SUPPLEMENTARY AWARENESS ACTIVITIES	7

ATTACHMENT 1, DEPARTMENT OF ENERGY ORGANIZATIONS TO WHICH
DOE M 470.1-1, *Safeguards and Security Awareness Program*, IS APPLICABLE

ATTACHMENT 2, CONTRACTOR REQUIREMENTS DOCUMENT

CANCELLED

SAFEGUARDS AND SECURITY AWARENESS PROGRAM

1. SAFEGUARDS AND SECURITY AWARENESS PROGRAM MANAGEMENT.

- a. Heads of DOE Elements. Ensure a Safeguards and Security Awareness Coordinator is appointed in writing.
- b. Safeguards and Security Awareness Coordinator.
 - (1) Responsibilities. Coordinators are responsible for—
 - (a) formulating and/or maintaining safeguards and security awareness programs consistent with the requirements in this Manual and DOE O 470.1, Chapter IV;
 - (b) designing, developing, and delivering safeguards and security awareness briefings; and
 - (c) serving as security resources to provide assistance and materials as needed to other security-related programs.
 - (2) Qualifications. Coordinators must possess the following qualifications:
 - (a) familiarity with—
 - 1 applicable DOE directives;
 - 2 local safeguards and security requirements, procedures, and planning documents (e.g., Site Safeguards and Security Plans, vulnerability analyses);
 - 3 the DOE Design Basis Threat and/or local threat conditions and guidance;
 - 4 site-specific safeguards and security issues and concerns, including protection and control of classified information and unclassified information whose dissemination is restricted or protection is required by law (hereafter referred to as “unclassified controlled information”); and
 - 5 foreign intelligence service recruitment techniques and espionage cases in the public domain and
 - (b) good speaking and writing skills.

- (3) Training. Each Coordinator must successfully complete the Safeguards and Security Awareness Coordinators Training course offered by the Nonproliferation National Security Institute's Safeguards and Security Central Training Academy within 1 year of appointment, contingent upon course availability.

c. Safeguards and Security Awareness Program Design and Development.

- (1) Program Design. Each facility/organization's safeguards and security awareness program must include objectives designed to meet site-specific needs and Federal requirements and to ensure cleared and uncleared personnel (i.e., personnel with and without access authorizations) are continuously aware of their safeguards and security responsibilities.
- (2) Program Development. Each facility/organization must develop procedures to ensure consistent implementation of all Safeguards and Security Awareness Program requirements. The facility/organization's safeguards and security awareness program must address the—
 - (a) facility/organization's mission,
 - (b) facility/organization's safeguards and security interests,
 - (c) threats to safeguards and security interests,
 - (d) role of the individual in protecting safeguards and security interests, and
 - (e) Federal requirements for the safeguards and security awareness program.
- (3) Program Implementation. The facility/organization's safeguards and security awareness program may be implemented using a variety of methods including, but not limited to, formal presentations, interactive videos, computer-based instruction, dissemination of instructional materials, or any combination of methods. Regardless of the method selected, safeguards and security awareness information should be delivered by the most efficient and effective means of communication possible, given the location, size, demographics, and other attributes of the intended audience.
- (4) Program Assessment. The facility/organization's safeguards and security awareness program must be assessed in accordance with DOE O 470.1, Chapter X, "Self-Assessment Program," which is both performance- and compliance-based.

2. BRIEFINGS. Title 32 CFR, Part 2001, Subpart D, lists topics for the Initial, Refresher, and Termination Briefings for cleared personnel (Note: the “Initial” Briefing in 32 CFR 2001.41 is equivalent to DOE’s “Comprehensive” Briefing described below in paragraph 2b). These topics, however, are not intended to be all-inclusive. DOE safeguards and security awareness briefings for cleared personnel must address the particular needs, safeguards and security interests, and threats found at the facility/organization. A general DOE safeguards and security briefing must be provided to uncleared personnel. Contents must be reviewed before each briefing to ensure the most current information. Records must be maintained in a manner that provides an audit trail that verifies an individual’s receipt of the briefings.
 - a. Initial Briefing. Uncleared personnel must receive an Initial Briefing before assuming their duties.
 - (1) Content. Subject matter for Initial Briefings must include, but is not limited to, the following:
 - (a) overview of the DOE facility/organization’s mission;
 - (b) overview of facility/organization’s safeguards and security program responsibilities;
 - (c) access control—
 - 1 escort procedures,
 - 2 protection of Government property, and
 - 3 badge procedures;
 - (d) identification of controlled and prohibited articles;
 - (e) protection of unclassified controlled information;
 - (f) procedures for reporting safeguards and security concerns (e.g., attempts to gain unauthorized access to classified information); and
 - (g) identification of classification markings.
 - (2) Scheduling. The Initial Briefing must be completed before personnel assume their duties. A transferred individual must complete a site-specific Initial Briefing before assuming duties at the new site. Initial and Comprehensive Briefings may, at the discretion of the facility/organization, be conducted simultaneously only if the individual’s access authorization has been previously granted or extended. Under such circumstances, the

briefing must include the information prescribed for both Initial and Comprehensive Briefings.

- (3) Documentation. Initial Briefing records must be maintained. Records may be maintained in conjunction with badging records or other records pertaining to access control.
- b. Comprehensive Briefing. A cleared individual must receive a Comprehensive Briefing upon receipt of an access authorization and before receiving initial access to classified matter or special nuclear materials.
- (1) Content. Subject matter for Comprehensive Briefings must include, but is not limited to, the following:
 - (a) classification and declassification requirements and procedures—
 - 1 definition of classified information,
 - 2 purpose of DOE classification and declassification program,
 - 3 levels and categories of classified information,
 - 4 damage criteria associated with each classification level,
 - 5 authority for classification and declassification, and
 - 6 procedures for challenging the classification status of information;
 - (b) classified information protection elements—
 - 1 procedures for protecting classified information,
 - 2 definition of unauthorized disclosures,
 - 3 penalties for unauthorized disclosures, and
 - 4 conditions and restrictions for access to classified information;
 - (c) individual's safeguards and security reporting requirements;
 - (d) legal and administrative sanctions for security infractions and violations of law;
 - (e) protection and control of classified information and unclassified controlled information, including telecommunications and electronic transmissions;

- (f) information pertaining to security badges, access authorization levels, and access controls;
 - (g) responsibilities associated with escorting;
 - (h) targeting and recruitment methods of foreign intelligence services;
 - (i) general information concerning the protection of special nuclear materials, if applicable; and
 - (j) purpose and requirements of, and responsibilities for, the *Classified Information Nondisclosure Agreement* (SF-312).
- (2) Scheduling. Comprehensive Briefings must be completed before individuals are granted access to classified information or special nuclear materials. A Comprehensive Briefing is also required when an access authorization is extended or transferred to another DOE facility/organization. Initial and Comprehensive Briefings may, at the discretion of the facility/organization, be conducted simultaneously only if the access authorization has been previously granted or extended. Under such circumstances, the briefing must include information prescribed for both Initial and Comprehensive Briefings.
- (3) Documentation. Documentation of the Comprehensive Briefing must be maintained. The *Classified Information Nondisclosure Agreement* may be used to document this briefing.
- c. Refresher Briefing. Cleared individuals must receive annual Refresher Briefings. Agreements between DOE elements and/or contractor organizations may be established to ensure individuals temporarily assigned to other DOE locations receive Refresher Briefings on schedule.
- (1) Content. Refresher Briefings must selectively reinforce the information provided in the Comprehensive Briefing. Refresher Briefings must also address current facility-/organization-specific safeguards and security issues and counterintelligence awareness. The counterintelligence awareness component should use material on this topic prepared annually by the Nonproliferation and National Security Institute or developed in coordination with the local Counterintelligence Office.

- (2) Scheduling. Refresher Briefings must be conducted each calendar year at approximately 12-month intervals.
 - (3) Documentation. Documentation of Refresher Briefings must be maintained for individuals until their next briefings. Documentation may be in electronic or hard copy format. Documentation must include the ability to identify individuals who have not met the Refresher Briefing requirement.
- d. Termination Briefing. A Termination Briefing is required whenever an access authorization has been or will be terminated. At a minimum, Termination Briefings must be used to impress upon the individual his or her continuing responsibility not to disclose classified information to which he or she had access, the potential penalties for noncompliance, and the obligation to return to the appropriate DOE official all wholly or partially classified documents and materials in the individual's possession.
- (1) Content. The content for the Termination Briefing must include, but not be limited to, the following:
 - (a) information contained in items 1 through 6 of the Security Termination Statement (DOE F 5631.29);
 - (b) information contained in items 3, 4, 5, 7, and 8 of the *Classified Information Nondisclosure Agreement*;
 - (c) penalties for unauthorized disclosure of classified information as specified in the Atomic Energy Act of 1954 and Title 18, U.S. Code; and
 - (d) penalties for unauthorized disclosure of Unclassified Controlled Nuclear Information; and
 - (2) Scheduling. The Termination Briefing must be conducted on the individual's last day of employment, the last day the individual possesses an access authorization, or the day it becomes known that the individual no longer requires access to classified information or special nuclear materials, whichever is sooner. If an individual is not available for a Termination Briefing, the reasons for the unavailability and the termination must be documented in a written notice in accordance with DOE M 472.1-1B.
 - (3) Documentation. Records documenting receipt of the Termination Briefing must be maintained. This briefing must be documented by completing DOE F 5631.29 or the written notice required by DOE M 472.1-1B.

3. CLASSIFIED INFORMATION NONDISCLOSURE AGREEMENT.

a. Administration.

- (1) As a condition of access, a cleared individual must complete a *Classified Information Nondisclosure Agreement* either at the time of or after the Comprehensive Briefing and before accessing classified information.
- (2) Any individual who refuses to execute an Agreement must be denied access to classified information and reported to the cognizant DOE Security Office.
- (3) Any DOE employee can witness a DOE or contractor employee's Agreement, but only an authorized DOE official may accept a DOE employee's Agreement. An authorized DOE official may also accept a contractor employee's Agreement, or a contractor representative may be authorized in writing by the cognizant DOE office to witness and to accept an Agreement from a contractor employee on behalf of the U.S. Government.

b. Retention. The original or legally enforceable facsimile of the *Classified Information Nondisclosure Agreement* must be retained in accordance with General Records Schedule 18, item 25, published by the National Archives and Records Administration (NARA), as supplemented by the DOE Administrative Records Schedule. The cognizant DOE office must ensure Agreements retained by contractors are sent to DOE upon the terminations of employment of contractor employees.

c. Storage. The *Classified Information Nondisclosure Agreement* must be stored in accordance with General Records Schedule 18, item 25, as supplemented by the DOE Administrative Records Schedule. Personnel security files must not be used as a storage location for the Agreements. The originals or legally enforceable facsimiles of the executed Agreements must be retained in a file system from which they can be expeditiously retrieved if the U.S. Government seeks enforcement or subsequent employers require confirmation of execution.

4. SUPPLEMENTARY AWARENESS ACTIVITIES.

a. Purpose. Each facility/organization responsible for providing safeguards and security awareness briefings must provide supplementary safeguards and security awareness activities between annual Refresher Briefings to ensure that individuals are aware of their responsibilities for protecting safeguards and security interests.

- b. Methods. The Coordinator must determine how supplementary awareness activities will be conducted. The following materials and activities, while not all-inclusive, should be considered as methods to reinforce safeguards and security awareness:
- (1) newsletter articles,
 - (2) posters,
 - (3) brochures/flyers,
 - (4) e-mail messages,
 - (5) security awards,
 - (6) contests,
 - (7) guest speakers, and
 - (8) special briefings.
- c. Records Retention. All programmatic records should be maintained in accordance with the NARA/DOE approved records retention and disposition schedules.

CANCELLED

**DEPARTMENT OF ENERGY ORGANIZATIONS TO WHICH
DOE M 470.1-1, *Safeguards and Security Awareness Program*, IS APPLICABLE**

Office of the Secretary
Office of the Chief Information Officer
Office of Civilian Radioactive Waste Management
Office of Congressional and Intergovernmental Affairs
Office of Counterintelligence
Departmental Representative to the Defense Nuclear Facilities Safety Board
Office of Economic Impact and Diversity
Office of Energy Efficiency and Renewable Energy
Energy Information Administration
Office of Environment, Safety and Health
Office of Environmental Management
Office of Fossil Energy
Office of General Counsel
Office of Hearings and Appeals
Office of Independent Oversight and Performance Assurance
Office of the Inspector General
Office of Intelligence
Office of Management, Budget and Evaluation and Chief Financial Officer
National Nuclear Security Administration
Office of Nuclear Energy, Science and Technology
Office of Policy and International Affairs
Office of Public Affairs
Office of Science
Secretary of Energy Advisory Board
Office of Security
Office of Worker and Community Transition
Office of Energy Assurance

Bonneville Power Administration
Southeastern Power Administration
Southwestern Power Administration
Western Area Power Administration

CANCELED

CONTRACTOR REQUIREMENTS DOCUMENT
DOE M 470.1-1, SAFEGUARDS AND SECURITY AWARENESS PROGRAM

Regardless of the performer of the work, the contractor is responsible for compliance 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 these requirements. The contractor must comply with the Safeguards and Security Awareness Program requirements below.

1. SAFEGUARDS AND SECURITY AWARENESS PROGRAM MANAGEMENT.

- a. Safeguards and Security Awareness Coordinator. The contractor must do the following.
- (1) Appoint, in writing, a Safeguards and Security Awareness Coordinator for the facility.
 - (2) Make the Coordinator responsible for—
 - (a) formulating and/or maintaining a safeguards and security awareness program;
 - (b) designing, developing, and delivering safeguards and security awareness briefings; and
 - (c) serving as a security resource to provide assistance and materials as needed to other security-related programs.
 - (3) Ensure the Coordinator possesses the following qualifications:
 - (a) familiarity with the applicable DOE directives;
 - (b) familiarity with local safeguards and security requirements, procedures, and planning documents (e.g., Site Safeguards and Security Plan, vulnerability analyses, local threat conditions and guidance);
 - (c) familiarity with site-specific safeguards and security issues and concerns, including protection and control of classified information and unclassified information whose dissemination is restricted or protection is required by law (hereafter referred to as “unclassified controlled information”);

- (d) familiarity with foreign intelligence service recruitment techniques and espionage cases in the public domain; and
 - (e) good speaking and writing skills.
- (4) Ensure the Coordinator successfully completes the Safeguards and Security Awareness Coordinators Training Course offered by the Nonproliferation National Security Institute's Safeguards and Security Central Training Academy within 1 year of appointment, contingent upon course availability.

b. Safeguards and Security Awareness Program Design and Development.

- (1) Program Design. The contractor's safeguards and security awareness program must include objectives designed to meet site-specific needs and Federal requirements and to ensure cleared and uncleared contractor personnel (i.e., personnel with and without access authorizations) are continuously aware of their safeguards and security responsibilities.
- (2) Program Development. Each facility/organization must develop procedures to ensure consistent implementation of all Safeguards and Security Awareness Program requirements. The facility/organization's safeguards and security awareness program must address the—
- (a) facility/organization's mission,
 - (b) facility/organization's safeguards and security interests,
 - (c) threats to safeguards and security interests,
 - (d) role of the individual in protecting the safeguards and security interests, and
 - (e) Federal requirements for the program (Executive Orders 12968, 12958, 12829; Presidential Decision Directive/NSC-12; 32 CFR 2001, Subpart D; 32 CFR 2003.20).
- (3) Program Implementation. The contractor's safeguards and security awareness program may be implemented using a variety of methods including, but not limited to, formal presentations, interactive videos, computer-based instruction, dissemination of instructional materials, or any combination of methods. Regardless of the method selected, safeguards and security awareness information should be delivered by the most efficient and effective means of communication possible, given the location, size, demographics, and other attributes of the intended audience.

- (4) Program Assessment. The contractor must assess the facility's safeguards and security awareness program in accordance with Self-Assessment Program requirements (CRD for DOE O 470.1).
2. BRIEFINGS. Title 32 CFR, Part 2001, Subpart D, lists topics for the Initial, Refresher, and Termination Briefings for cleared personnel (Note: the "Initial" Briefing in 32 CFR 2001 is equivalent to DOE's "Comprehensive" Briefing described below in paragraph 2b). These topics, however, are not intended to be all-inclusive. Safeguards and security awareness briefings must address the particular needs, safeguards and security interests, and threats found at the facility. A general safeguards and security awareness briefing must be provided to certain uncleared personnel. The contractor must review the contents before each briefing to ensure the most current information. Records must be maintained in a manner that provides an audit trail that verifies an individual's receipt of the briefings.
 - a. Initial Briefings. Uncleared contractor employees who are to be granted unescorted access to site security areas must receive an Initial Briefing before assuming their duties.
 - (1) Content. Subject matter for Initial Briefings must include, but is not limited to, the following:
 - (a) overview of the facility/organization's mission;
 - (b) overview of the contractor's safeguards and security program responsibilities;
 - (c) access control—
 - 1 escort procedures,
 - 2 protection of Government property, and
 - 3 badge procedures;
 - (d) identification of controlled and prohibited articles;
 - (e) protection of unclassified controlled information;
 - (f) procedures for reporting safeguards and security concerns (e.g., attempts to gain unauthorized access to classified information); and
 - (g) identification of classification markings.
 - (2) Scheduling. The contractor must ensure each such contractor employee receives an Initial Briefing before assuming duties. A transferred

contractor employee must receive a facility-specific Initial Briefing before assuming duties at the site. Initial and Comprehensive Briefings may, at the discretion of the contractor, be conducted simultaneously only if the contractor employee's access authorization has been previously granted or extended. Under such circumstances, the briefing must include information for both Initial and Comprehensive Briefings.

- b. Comprehensive Briefing. A cleared contractor employee must receive a Comprehensive Briefing upon receipt of an access authorization and before receiving initial access to classified matter or special nuclear materials.
- (1) Content. Subject matter for Comprehensive Briefings must include, but is not limited to, the following:
- (a) classification and declassification requirements and procedures (Executive Order 12958, DOE M 471.2-1C, CRD for DOE M 475.1-1A)—
 - 1 definition of classified information,
 - 2 purpose of DOE classification and declassification program,
 - 3 levels and categories of classified information,
 - 4 damage criteria associated with each classification level,
 - 5 authority for classification and declassification, and
 - 6 procedures for challenging the classification status of information;
 - (b) classified information protection elements (Executive Order 12958; DOE M 471.2-1C)—
 - 1 procedures for protecting classified information,
 - 2 definition of unauthorized disclosures (CRD for DOE O 471.2A),
 - 3 penalties for unauthorized disclosures [18 U.S.C. 641, 793, 794, 798, and 1924; 42 U.S.C. 2271 to 2278b; 50 U.S.C. 783(b); Executive Order 12958], and
 - 4 conditions and restrictions for access to classified information;
 - (c) individual's safeguards and security reporting requirements (CRD for DOE O 472.1B; Executive Order 12968; Presidential Decision Directive-12);

- (d) legal and administrative sanctions imposed for security infractions and violations of law (Atomic Energy Act of 1954, as amended; 41 CFR, Part 101; Executive Order 12958; CRD for DOE O 471.2A);
 - (e) protection and control of classified information and unclassified controlled information, including telecommunications and electronic transmissions (DOE M 471.2-1C; CRDs for DOE O 200.1, 471.1A, 471.2A; Executive Order 12958; 32 CFR, Part 2004);
 - (f) information pertaining to security badges, access authorization levels, and access controls (CRD for DOE O 472.1B; DOE 5632.1C);
 - (g) responsibilities associated with escorting;
 - (h) targeting and recruitment methods of foreign intelligence services;
 - (i) general information concerning the protection of special nuclear materials, if applicable; and
 - (j) purpose and requirements of, and responsibilities for, the *Classified Information Nondisclosure Agreement* (SF-312) (32 CFR 2003.20).
- (2) Scheduling. Comprehensive Briefings must be completed before contractor employees are granted access to classified information or special nuclear materials, and when employees access authorizations are extended or transferred. Initial and Comprehensive Briefings may, at the discretion of the contractor, be conducted simultaneously only if the access authorization has been previously granted or extended. Under such circumstances, the briefing must include information prescribed for both Initial and Comprehensive Briefings.
- c. Refresher Briefing. Cleared contractor employees must receive annual Refresher Briefings. Agreements between DOE elements and/or contractor organizations may be established to ensure that contractor employees temporarily assigned to other DOE locations receive Refresher Briefings on schedule.
- (1) Content. Refresher Briefings must selectively reinforce the information provided in the Comprehensive Briefing. Refresher Briefings must also address current facility-specific safeguards and security issues and counterintelligence awareness. The counterintelligence awareness component should use material on this topic prepared annually by the Nonproliferation and National Security Institute or developed in coordination with the local Counterintelligence Office.

- (2) Scheduling. Refresher Briefings must be conducted each calendar year at approximately 12-month intervals.
- d. Termination Briefing. A Termination Briefing is required whenever an access authorization has been or will be terminated. At a minimum, Termination Briefings must be used to impress upon the contractor employee his or her continuing responsibility not to disclose classified information to which he or she had access, the potential penalties for noncompliance, and the obligation to return to the appropriate DOE official all wholly or partially classified documents and materials in the contractor employee's possession.
- (1) Content. The content for the Termination Briefing must include, but is not limited to, the following:
 - (a) information contained in items 1 through 6 of the Security Termination Statement (DOE F 5631.29);
 - (b) information contained in items 3, 4, 5, 7, and 8 of the *Classified Information Nondisclosure Agreement* (32 CFR 2003.20);
 - (c) penalties for unauthorized disclosure of classified information as specified in the U.S. Code [18 U.S.C. 641, 793, 794, 798, 952, and 1924; 42 U.S.C. 2271 to 2278b; 50 U.S.C. 783(b)]; and
 - (d) penalties for unauthorized disclosure of Unclassified Controlled Nuclear Information (42 U.S.C. 2168).
 - (2) Scheduling. The Termination Briefing must be conducted on the contractor employee's last day of employment, the last day the contractor employee possesses an access authorization, or the day it becomes known that the contractor employee no longer requires access to classified information or special nuclear materials, whichever is sooner. If a contractor employee is not available for a Termination Briefing, the reasons for both the termination and the absence of the DOE F 5631.29, must be explained in a written notice.
3. CLASSIFIED INFORMATION NONDISCLOSURE AGREEMENT.
- a. Administration.
 - (1) As a condition of access, a cleared contractor employee must complete a *Classified Information Nondisclosure Agreement* (SF-312) either at the time of or after the Comprehensive Briefing and prior to having access to classified information.

- (2) A contractor employee who refuses to execute a *Classified Information Nondisclosure Agreement* must be denied access to classified information and the refusal must be reported to the cognizant DOE Security Office.
 - (3) The contractor must ensure that its employees' *Classified Information Nondisclosure Agreements* are properly witnessed and accepted. Any DOE employee may witness a contractor employee's Agreement, an authorized DOE official may accept the Agreement, or a contractor representative may be authorized in writing by the cognizant DOE office to witness and to accept the Agreement on behalf of the U.S. Government.
- b. Storage. The *Classified Information Nondisclosure Agreement* must be stored in accordance with the General Records Schedule 18, item 25, published by the National Archives and Records Administration (NARA), as supplemented by the DOE Administrative Records Schedule (<http://cio.doe.gov/Records/sitespec.htm>). The original or legally enforceable facsimile of each executed Agreement must be retained in a file system from which it can be expeditiously retrieved if the U.S. Government seeks enforcement.
4. SUPPLEMENTARY AWARENESS ACTIVITIES.
- a. Purpose. The contractor must provide supplementary safeguards and security awareness activities between annual Refresher Briefings to ensure that contractor employees are aware of their responsibilities for protecting safeguards and security interests.
 - b. Methods. The contractor must determine how supplementary awareness activities are conducted. The following materials and activities, while not all-inclusive, should be considered as methods to reinforce safeguards and security awareness:
 - (1) newsletter articles,
 - (2) posters,
 - (3) brochures/flyers,
 - (4) e-mail messages,
 - (5) security awards,
 - (6) contests,
 - (7) guest speakers, and
 - (8) special briefings.

5. DOCUMENTATION AND RECORDS RETENTION.

- a. Briefings. The contractor must retain briefing records in a manner that provides an audit trail that verifies a contractor employee's receipt of the appropriate briefings.
- (1) Initial Briefings. Records of Initial Briefings may be maintained in conjunction with badging records or other records pertaining to access control.
 - (2) Comprehensive Briefings. The *Classified Information Nondisclosure Agreements* may be used to document the Comprehensive Briefings.
 - (3) Refresher Briefings. Records of Refresher Briefings must be maintained for contractor employees until their next briefings. Documentation may be in electronic or hard copy format. Documentation must include the ability to identify contractor employees who have not met the Refresher Briefing requirement.
 - (4) Termination Briefings. Termination Briefings must be documented by completing DOE F 5631.29 or if that is not possible, by a written notice that explains the reason for both the termination and the absence of the DOE F 5631.29. The contractor must submit the documentation to the cognizant DOE office.
- b. Classified Information Nondisclosure Agreement. The contractor may retain an executed Agreement until termination of the contractor employee's employment, at which time the Agreement must be sent to the cognizant DOE office.
- c. Supplementary Awareness Activities. All programmatic records should be maintained in accordance with the NARA/DOE approved records retention and disposition schedules.