

**U.S. Department of Energy**  
Washington, D.C.

**ORDER**

DOE O 470.2

Approved: 12-23-98  
Review Date: 12-23-00

**SUBJECT: SAFEGUARDS AND SECURITY INDEPENDENT OVERSIGHT PROGRAM**

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1. OBJECTIVES. To establish the Department of Energy (DOE) Safeguards and Security Independent Oversight Program that provides DOE and contractor managers, Congress, and other stakeholders with an independent evaluation of the effectiveness of DOE safeguards and security policy and programs, and the implementation of those policies and programs.
2. CANCELLATION. DOE 5630.12A, SAFEGUARDS AND SECURITY INSPECTION AND EVALUATION PROGRAM, of 6-23-92.
3. APPLICABILITY.
  - a. DOE Elements. This Order applies to all DOE Elements.
  - b. Contractors. Except for the exclusion in Paragraph 3c(1), Attachment 1, the Contractors Requirements Document (CDR), sets forth requirements to be applied to the universe of contractors awarded contracts for the operation or integration (including, but not limited to, construction, demolition, or remediation) of a DOE-owned or -leased facilities. Contractor compliance with the CRD will be required to the extent set forth in a contract.
  - c. Exclusions. This Order does not apply to activities conducted under the authority of the Director, Naval Nuclear Propulsion Program, as assigned by Executive Order 12344 (statutorily prescribed by 42 USC 7158, note).
4. REQUIREMENTS.
  - a. Program Independence. The Office of Oversight, and by extension the Office of Security Evaluations, shall be independent of DOE elements that have line and/or program management responsibilities for safeguards and security programs, including Secretarial Offices, Operations/Field Offices, Energy Technology Centers, and Power Marketing Administrations.

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All Departmental Elements

**Initiated By:**  
Office of Environment, Safety  
and Health

b. Basis for Safeguards and Security Independent Oversight Activities.

- (1) Safeguards and security programs shall be evaluated against the spectrum of threats as defined in DOE threat statements, such as the DOE generic threat statement for nuclear facilities, or as may be otherwise Departmentally approved.
- (2) DOE orders, notices and manuals; approved site safeguards and security plans and other security plans; and approved deviations shall be used as the baseline for independent oversight evaluation of DOE-owned or -leased facilities. Other DOE guidance may be used to augment and strengthen the baseline by providing supplemental information about acceptable methods for implementing requirements contained in orders, notices and manuals.
- (3) In order to evaluate the adequacy of safeguards and security policy as well as implementation, the expert judgment of safeguards and security professionals shall be used as required to fully evaluate program effectiveness.
- (4) Site-specific information, such as DOE reviewed and approved contractor procedural guides, implementation plans, and memorandums of agreement and understanding, and Safeguards and Security Site Profiles (developed by the Office of Security Evaluations in coordination with Heads of Field Elements), shall be used to provide a basis for planning independent oversight activities.

c. Licensed Facilities. Independent oversight activities for DOE facilities licensed by other agencies (e.g., Nuclear Regulatory Commission), shall be structured to minimize or eliminate duplication of oversight efforts while assuring that DOE security interests and facilities are independently evaluated. Accordingly, independent oversight activities shall take into account inspection and assessment activities of such agencies.

d. Conduct of Safeguards and Security Independent Oversight Activities.

- (1) Appraisals shall be conducted after appropriate scheduling, notification and planning to implement the Safeguards and Security Independent Oversight Program. Appraisals shall include, but not be limited to the following scheduled or short notice activities: management evaluations, follow-up reviews and special studies. Appraisals shall be completed to evaluate the status of safeguards and security at one DOE-owned or -leased facility, at a range of DOE-owned or -leased facilities or as directed by senior DOE managers.

- (2) Appraisals shall evaluate management systems, adequacy of policy, and implementation of policy. Data collection activities will include measurement of actual performance whenever possible as well as interviews, document reviews, and other data collection activities. All available classified and unclassified information sources shall be utilized in determining the effectiveness of protection afforded national security interests and the ability of protection programs to prevent the inadvertent release of such information outside established control procedures.
  - (3) The factual accuracy of the results of appraisals shall be verified with the staff or management personnel deemed best able to confirm the accuracy of the data.
  - (4) When policy issues and implementation concerns that are determined to have impact on the effectiveness of the safeguards and security program are identified, line and safeguards and security program managers shall be made aware of these issues and concerns. When appropriate, appraisals shall also identify enhancements to assist line and safeguards and security program managers in the development of corrective actions to address identified issues and concerns.
  - (5) When the Director, Office of Security Evaluations deems it appropriate, ratings (consistent with DOE Order 470.1 and DOE Manual 231.1-1) shall be assigned.
  - (6) Draft appraisal reports shall be provided to appropriate DOE management representatives, such as the Operations/Field Office Manager(s) and Cognizant Secretarial Officer(s).
- e. Actions Taken and Follow-Up Concerning Issues and Concerns Identified During Appraisals.
- (1) Corrective action plans and progress toward resolution of identified issues and concerns are the responsibility of line managers including applicable Heads of Field Elements and the Cognizant Secretarial Officers. Corrective action plans shall be based on analysis of underlying causal factors to determine if systemic safeguards and security program weaknesses exist.
  - (2) The Office of Security Evaluations shall promptly (within 24 hours) advise appropriate site and Headquarters managers when appraisal activities indicate a significant vulnerability such as unacceptable risk of special nuclear material theft or diversion, radiological or industrial sabotage, or espionage.

- (3) When notified of a significant vulnerability, Cognizant Secretarial Officers, in coordination with other Secretarial Officers, Managers of Operations/Field Offices, and the Office of Security Affairs, shall take the following actions:
  - (a) Promptly identify and direct the implementation of interim corrective actions to mitigate the identified risk or vulnerability.
  - (b) Develop and implement or direct the implementation of a plan to reduce the level of risk to an acceptable level as soon as possible, including determining cost and identifying funds.
- (4) The Office of Security Evaluations shall conduct follow-up reviews on appraisal issues or concerns to determine the effectiveness of line management's actions, as appropriate.

f. Reporting.

- (1) The results of appraisals shall be provided as soon as possible after the conclusion of an appraisal activity to the Secretary, the Under Secretary, the Cognizant Secretarial Officer, other Secretarial Officers having national security interests at the evaluated site(s), Operations/Field Office Managers, the Office of Security Affairs, the Inspector General's Office, and, the Administrators of the Power Marketing Administrations, as appropriate.
- (2) The Office of Security Evaluations shall evaluate and report on the overall status of safeguards and security annually.

5. RESPONSIBILITIES.

- a. Assistant Secretary for Environment, Safety and Health. Provides resources (including appropriate funding, required staff and specific expertise that may not reside in the Office of Security Evaluations) to support the Safeguards and Security Independent Oversight Program.
- b. Deputy Assistant Secretary for Oversight. Develops and maintains DOE independent oversight policies, procedures, standards and guidelines.
- c. Director, Office of Nonproliferation and National Security, through the Office of Security Affairs.

- (1) Coordinates the resolution of safeguards and security program policy issues identified during appraisals.
- (2) Coordinates with Cognizant Secretarial Officers and Heads of Field Elements on the resolution of safeguards and security program issues and concerns identified during appraisals.
- (3) Assists the Office of Security Evaluations in obtaining access to special access programs as required to provide effective independent oversight of the overall DOE safeguards and security program.

d. Cognizant Secretarial Officers.

- (1) Takes timely and appropriate corrective actions to address weaknesses identified by appraisals.
- (2) Provides required documentation, points-of-contact, and access to all DOE-owned or -leased facilities under the Cognizant Secretarial Officer's purview. If notification of the impending appraisal is not received 30 days prior to the start of the appraisal, then the required support will be modified as mutually agreed.
- (3) Reviews draft appraisal reports and other reports (see 4f[2]) for factual accuracy within the allowed time-frame.

e. Director, Office of Security Evaluations.

- (1) Advises appropriate managers within 24 hours of any significant vulnerabilities or weaknesses at evaluated sites.
- (2) Directs, manages, and conducts the Safeguards and Security Independent Oversight Program.
- (3) Coordinates the scheduling, notification and planning of appraisals with appropriate Cognizant Secretarial Officers, Head of Field Elements, and appropriate environment, safety and health organizations.
- (4) Maintains awareness of the status of issues and ratings identified during appraisals.
- (5) Coordinates safeguards and security policy issues and concerns with the Office of Security Affairs for resolution.

- (6) Maintains Safeguards and Security Site Profiles for use as a basis for planning appraisals and for analyzing Department-wide safeguards and security trends.
  - (7) Provides evaluations of safeguards and security policies, programs and implementation to DOE managers in various written formats (e.g., management evaluation reports, special study reports, follow-up review reports, annual report, and Safeguards and Security Site Profiles).
  - (8) Coordinates within the Office of Oversight on matters of environment, safety, and health that may arise in the course of appraisals.
- f. Director, Naval Nuclear Propulsion Program.
- (1) Implements and oversees all policy and practices pertaining to this Order to ensure consistency throughout the joint Navy/DOE organization of the Naval Nuclear Propulsion Program.
  - (2) Informs the Office of Security Evaluations of any modifications to DOE safeguards and security policies unique to the operations of the Naval Nuclear Propulsion Program, such as Implementation Bulletins.
- g. Chief Information Officer. Coordinates the resolution of information security and information assurance program and policy issues as appropriate.
- h. Heads of Field Elements.
- (1) Takes timely and appropriate corrective actions to address the issues identified by independent oversight activities.
  - (2) Ensures that corrective action plans are:
    - (a) Developed to address the issues identified by the appraisal team within 30 calendar days after the issuance of the final appraisal report.
    - (b) Approved by the appropriate official at the Field Element.
    - (c) Implemented and tracked to completion or closure.
  - (3) Cooperates in appraisals by providing safeguards and security points-of-contact, documentation and information concerning programs under their jurisdiction, participating in special study groups, reviewing draft

documents, and ensuring necessary support, access to facilities, and work space for the appraisal team. If notification of the impending appraisal is not received 30 days prior to the start of the appraisal, then the required support will be modified as mutually agreed.

- (4) Reviews draft appraisal reports and other reports (see 4f[2]) for factual accuracy within the allowed time frame.
- (5) Makes a determination that this Order applies to procurement requests if the request involves work that includes the custody and responsibility for national security interests or sensitive unclassified information.

6. REFERENCES.

- a. DOE O 470.1, SAFEGUARDS AND SECURITY PROGRAM, of 9-28-95, which establishes the requirements and responsibilities for the safeguards and security program.
- b. DOE M 231.1-1, ENVIRONMENT, SAFETY AND HEALTH REPORTING MANUAL, of 9-30-95, which establishes detailed requirements of implementing safeguards and security reporting requirements when ratings have been assigned.

7. CONTACT. Questions concerning this Order should be directed to the Office of Security Evaluations, Office of Oversight, Office of Environment, Safety and Health, phone 301-903-5895.

BY ORDER OF THE SECRETARY OF ENERGY:



RICK FARRELL  
DIRECTOR OF MANAGEMENT  
AND ADMINISTRATION

## **CONTRACTOR REQUIREMENTS DOCUMENTS**

### **SAFEGUARDS AND SECURITY INDEPENDENT OVERSIGHT PROGRAM**

1. In the performance of this contract, contractors shall support Safeguards and Security Independent Oversight Program appraisals at sites under their cognizance. This support shall include the following:
  - a Timely identification of points-of-contact to provide information and support.
  - b Documentation and information concerning safeguards and security programs under their jurisdiction.
  - c Access to contractor facilities and personnel, as required.
  - d Review of draft appraisal reports.
  - e Provision of work space and administrative support for the appraisal team.
2. Contractors shall prepare, implement, and track to completion approved corrective action plans that address safeguards and security issues and concerns determined to have impact on the effectiveness of the safeguards and security program that are identified during appraisals.
3. Contractors shall ensure that the above provisions apply to subcontractors performing safeguards and security functions.