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**Report on the Joint Meeting  
of the  
Users Administrators  
and  
User Executive Committee Chairs**

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**BNL  
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UEC Open Forum

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# Foreign Visits and Assignments (FVA)

FVA handling at BNL and all DOE facilities changed radically after 9/11/01 (although not exclusively because of 9/11/01).

DOE provided interim guidance with a memo called DOE 142.1.

Many labs, like BNL, had difficulty implementing the complete order.

# BNL Experience

Users have experienced increased paperwork and longer lead-times for visits to BNL.

Foreign Visitors can expect long waits for Visa approvals, especially from “sensitive” countries.

Treatment of Foreign Visitors has changed at the lab.

# Meeting Arranged

Representatives from 9 DOE Labs and 22 Users Facilities.

Speakers:

- DOE Office of Science - Bill Nay
- Department of State – Edward Ramotowski
- Homeland Security – Ramona McGee & Claudia Salem
- Office of Science and Technology Policy – James Griffin
- American Physical Society – Irving Lerch
- BNL – David Peter, Brenda Kirk

Presentations and video are available at

<http://www.bnl.gov/userscenter/JointMtg/jointmtg.asp>

# Status of DOE Order 142.X

Major issues with the draft order were submitted in the Review and Comment System (REVCOM) by all DOE field elements

Office of Science (Bill Nay) consolidated the input from all SC field elements and submitted them with Major Comments on October 21, 2003

Comments went to Acting Director, Office of Security on October 22, 2003, agreeing to work on resolution of the Major Comments

Meeting to resolve comments in mid-November.

New DOE Order due to be released 15 Jan 2004.

# Comments

Open to the Public should be defined as: “Events, activities, or locations that are determined to be open to the general public by the hosting site approval authority, in consultation with subject matter experts (SMEs),” and therefore should be exempt from this Order.

An off site meeting with no access controls is clearly open to the public and should be excluded.

Completed indices checks need not be required for assignments by sensitive country foreign nationals whose access is only to fundamental research.

The subsection on host requirements has requirements that are personal information and not related to work. These portions of the paragraph should be deleted.

# Comments (continued)

The Order should require only the verification of the legal status of the foreign national visitors and should not require they be “validated,” “documented” and “maintained”.

A specific security plan need not be required for sensitive country foreign nationals whose visit or assignment includes access only to fundamental research.

The concept of access to “programs, information and technology” goes beyond the objective of this Order and should be deleted.

The section on delivery, service and vendor personnel is too restrictive and should be modified to align with the graded approach. (Construction workers should be added.)

# Comments (continued)

The definition of National Security Assets includes "valuable government property." As this definition is both inappropriate and inaccurate, it should be deleted.

The definition of Foreign National should be consistent within DOE. The definition should be changed to read:

Foreign National – A foreign national is anyone who is not a U.S. citizen by birth or naturalization, and who is not a Legal Permanent Resident (LPR)

## **General Comment**

Some of the requirements are described at a level of detail more appropriate for a manual or guide. In those areas where the details go beyond what should be in the Order we have recommended that they be deleted.

# Easing Visa Clearances

Dept of State and Homeland Security are preparing to address the long processing time required for visa approval by a policy of “priority screening” for scientists and students.

Office of Science and Technology Policy will work to help implement this policy.

# Future of FVA at BNL

New DOE Order 142.X coming ~15 Jan 2004.

We will evaluate the new policy and see if any further action needs to be taken to improve FVA at BNL.

Visa approval has been speeding up. We anticipate more improvement as priority screening takes effect.