



The Secretary of Energy

Washington, DC 20585

February 24, 2021

MEMORANDUM FOR KATHLEEN HOGAN
ACTING UNDER SECRETARY FOR SCIENCE AND ENERGY

CHARLES VERDON
ACTING UNDER SECRETARY FOR NUCLEAR SECURITY
AND ADMINISTRATOR, NNSA

FROM: DAVID HUIZENGA
ACTING SECRETARY

SUBJECT: Extension of Suspension for Drug Testing Requirements for Federal
Drug Testing Personnel

Due to the Coronavirus Disease (COVID-19) pandemic, the Secretary of Energy issued three memoranda suspending certain safety and security requirements. Drug testing for Federal employees as prescribed in DOE O 343.1, *Federal Substance Abuse Testing Program*, and DOE O 472.2, *Personnel Security*, were suspended for 180 days in a memorandum dated April 22, 2020. A subsequent October 27, 2020, memorandum extended the suspension of drug testing requirements as outlined in DOE O 343.1 and a November 5, 2020 memorandum authorized the appropriate Under Secretary to extend the suspension of the requirement that Cognizant Personnel Security Offices must receive a negative drug test before processing a request for an access authorization as prescribed in DOE O 472.2. To the extent still applicable, and consistent with additional references in this Memorandum, the April, October and November Memoranda referenced above remain in effect.

The country is still coping with the COVID-19 pandemic, and the health and safety of our employees is of utmost importance. Accordingly, I authorize the continued suspension for drug testing requirements for Federal employees previously suspended in the Memoranda referenced above, as well as any requirements for a negative drug test prior to the initiation of an access authorization, the granting of an access authorization, or the granting of an interim access authorization as set forth in DOE O 472.2.

The suspension of drug testing does not apply to the following positions:

- Personnel assigned to the Human Reliability Program;
- Personnel assigned to Special Access Programs;
- Personnel assigned to positions which require access to or carrying of a firearm;
- Personnel in positions subject to Federal Aviation Administration requirements;
- Personnel in positions subject to Department of Transportation requirements; and
- Personnel assigned as Firefighters.

This suspension status for drug testing as set forth in this Memorandum will remain for 180 days or until a given site achieves normal onsite operations (i.e., full onsite operational status). I hereby delegate to the Associate Under Secretary for Environment, Health, Safety, and Security and the Under Secretary for Nuclear Security, as appropriate, the authority to review the applicability of this memorandum and extend this memorandum for an additional 180 days if needed. All actions that were permissible under the April 22, 2020, memorandum even if they were taken after the issuance of the October 27, 2020, memorandum, are hereby confirmed and ratified and shall remain in full force and effect as if taken under this memorandum, unless or until specifically rescinded, amended or superseded.

If a site returns to normal operations prior to the 180 days, the requirements outlined in the Orders or, as applicable, regulations, will be reinstated. Within 60 days of a site returning to normal operations, the Associate Under Secretary for Environment, Health, Safety, and Security or the Under Secretary for Nuclear Security, as appropriate, will submit a "Compliance Plan" to the Deputy Secretary for approval. This plan will provide a reasonable amount of time to return to compliance with drug testing requirements.

Departmental Element's whose field sites have reinstated these requirements are directed to use discretion in enforcing drug testing requirements for their Federal workforce. All sites are to continue documenting deviations to the drug testing requirements to ensure a smooth transition back to normal operations.

Additionally, maintaining communication with management to discuss the decisions, risks, and impacts associated with deviations from directives and regulatory requirements is imperative to a smooth transition to normal operations. Departmental Elements should work with each site, as local conditions warrant, to ensure a smooth transition is achieved as expeditiously and prudently as possible. Please contact the Associate Under Secretary for Environment, Health, Safety and Security, Matthew B. Moury, at (202) 586-5175, with any questions or concerns.

Attachments:

Attachment – 1 Extension of Suspension and Exercise of Enforcement Discretion for Certain Safety and Security Requirements and Requirements During the Ongoing COVID-19 Pandemic, October 27, 2020

Attachment – 2 Extension of Security Exercise Requirements and Authority for Under Secretaries to Extend Certain Security Requirements Due to Coronavirus Disease 2019, November 5, 2020

cc: Matthew B. Moury, AU
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Juston Fontaine, SC
Gregory Sosson, EM
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