Unclassified Foreign Visits and Assignments Manual

TABLE OF CONTENTS

I. INTRODUCTION 3
II. DEFINITIONS 3
A. Access 3
B. DOE UFV&A Program 3
C. Fermilab UFV&A Program 3
D. Non-Sensitive Country Nationals 3
E. Nonpublic Areas 3
F. Public Areas 3
G. Sensitive Country 3
H. Site Approval Authority 3
I. State Sponsors of Terrorism Countries 3
III. OVERVIEW OF RESPONSIBLILITIES 4
A. The Laboratory Director 4
B. The Site Approval Authority 4
C. The Program Planning Office 4
D. The Chief Operating Officer 4
E. The Global Services Office (GSO) Manager 4
F. Badging Offices 4
IV. PROCEDURE 5
A. Overview of Site Access 5
B. Entering the Fermilab Site 5
C. Accessing the Fermilab Site 5
1. Overview. 5
2. Badge Issuance 5
3. Processing of the Fermilab Badge 5
4. Documentation and Data Required for Site Access: 6
D. Review and Approval 6
V. Validation 6
A. What is Validation? 6
B. Who must be validated? 6
C. When does Validation Occur? 6
D. What is the Validation List? 6
E. Who may serve as a Validator? 6
F. How is Validation Performed? 6
1. Individuals seeking Access who have never had computing privileges or an ID badge 7
2. Individuals seeking access who currently or previously have had computing privileges 7

3. Individuals seeking access who are ineligible for computing privileges 7
G. ServiceNow 7
1. Request for computing privileges 7
2. After the Workday/Fermiworks record is created: 7
H. The Fermilab ID# 8
VI. Access Requests 8
A. Visit versus Assignment 8
B. Necessary Elements of an Access Request in Workday/Fermiworks 8
1. Overview 8
2. Expired documents 8
VII. FACTS 9
A. What is FACTS? 9
B. Who performs the FACTS Entry? 9
C. When are FACTS entries made? 9
D. What other entries are made in FACTS? 9
VIII. Hosts 9
A. When are Hosts Assigned? 9
B. How does a Fermilab Employee become a Host? 9
C. What are The Users Office responsibilities regarding Hosts? 9
D. What training is provided to Hosts? 9
E. What are the Qualifications to Serve as a Host at Fermilab? 10
F. What must Hosts do? 10
G. What support is provided to Hosts? 10
H. What are the Requirements of Non-US Citizens? 10
IX. REFERENCES 10

I. INTRODUCTION

This manual addresses the implementation of systems and procedures at Fermilab to ensure compliance with contractual obligations relating to the DOE's Unclassified Foreign Visits and Assignments (UFV&A) Program. The DOE and Fermilab UFV&A programs apply to all persons accessing non-public areas of the Laboratory.

II. DEFINITIONS

A. Access

"Site Access" is access to non-public areas of the Laboratory or to Laboratory information, technologies or equipment.

B. DOE UFV&A Program

The requirements, obligations and responsibilities placed by the Department of Energy (DOE) on government agencies, contractors and subcontractors that controls unclassified foreign national access to DOE sites, information, technologies, and equipment. (The DOE UFV&A Program does not include laboratory computing privileges.)

C. Fermilab UFV&A Program

The systems, procedures and policy at Fermilab that implement the DOE's Unclassified Foreign Visits and Assignments (UFV&A) Program by validating, verifying, documenting and approving access by any non-US citizen to non-public areas.

D. Non-Sensitive Country Nationals

Persons who are neither State Sponsors of Terrorism (T-3) nor Sensitive Country Nationals.

E. Nonpublic Areas

Areas that are not designated as public by the Fermilab Security Office pursuant to its Site Security Plan. Such Nonpublic areas include but are not limited to Property Protection Areas (PPAs), Areas of Security Interest (ASI) and working areas. See the Fermilab Security Office for more detail.

F. Public Areas

Areas designated as "Public" by the Fermilab Security Office pursuant to its Site Security Plan, which might include but not be limited to "General Access Areas". See the Fermilab Security Office for more detail.

G. Sensitive Country

This refers to the DOE's internal list of 20+ countries that are considered neither "safe" nor "dangerous," and thus merely are "sensitive". The Foreign Access Centralized Tracking System (FACTS) is the most accurate source of identifying what the current Sensitive countries are. A person is considered to be a "Sensitive Country national" if (1) the person is neither a U.S. citizen nor a T-3 National, AND (2) the person:

- Is a citizen of a sensitive country or is affiliated with an institution located in a Sensitive Country
- Was born in a sensitive country, even if they are no longer a citizen and are not affiliated with an institution located in a sensitive country.

H. Site Approval Authority

The individual to whom the authority of the Secretary of Energy is delegated to approve access to a DOE site by a non-US citizen.

I. State Sponsors of Terrorism Countries

This refers to the list of countries that the Department of State has designated as being sponsors

of terrorism. The Foreign Access Centralized Tracking System (FACTS) is the most accurate source of identifying what the current T- countries are. A person is considered to be a "T-" if the person is neither a U.S. citizen AND the person:

- Was born in a T- country
- Is now a citizen of a T- country
- Is "affiliated" with an institution located in a T- country (the DOE does not define what "affiliation" means).

III. OVERVIEW OF RESPONSIBLILITIES

A. The Laboratory Director

The Laboratory Director is responsible for ensuring laboratory compliance with DOE UFV&A. This authority can be delegated to a Site Approval Authority.

B. The Site Approval Authority

The Site Approval Authority is the Director; however, the authority to approve access is simultaneously delegated to the Global Services Manager, HR Services Manager, and the Assistant Director for Human Resources.

C. The Program Planning Office

As a result of its leadership and management of experiments and experimental collaborations at Fermilab, the Program Planning Office is responsible for

- establishing and disseminating core data about initiation, status, leadership, location and other features of experiments at Fermilab;
- soliciting and compiling suggestions from experiments for Validators; and
- provide input and suggestions about Hosts for experiments, following suggestions from Divisions/ /Sections.

D. The Chief Operating Officer

The COO is responsible for:

- Final approval of Validators
- Final approval of Hosts
- Communications with the DOE Site Office of matters of interest to them arising out of the UFVA program

E. The Global Services Office (GSO) Manager

The GSO Manager is responsible for:

- Administration of Fermilab's UFV&A program.
- Preparing, maintaining, and updating the Fermilab Unclassified Foreign Visits and Assignments Program (UFVAP) manual
- Coordination of training for hosts
- Communicating about daily administrative matters relating to UFVA with the DOE Counterintelligence officers assigned to Fermilab's UFVA and site security program.

F. Badging Offices

The Key & ID Office, in conjunction with the Global Services Office, are responsible for the day-to-day collection and review of information and documentation required under Fermilab's UFV&A Program, and to support other Fermilab badging procedures and requirements.

- The Key & ID Office is responsible for badging Subcontractors and Authorized Guests.
- The Users Office is responsible for badging Visitors / Users, DOE representatives, and joint appointees
    - The Users Office is also responsible for all FACTS entry of foreign visits and

assignments to the site, as well as notifying foreign visitors of who their Fermilab host is and what their responsibilities to their host are.

- The Visa Office is responsible for badging Employees and Retirees as described below.

IV. PROCEDURE

A. Overview of Site Access

Fermilab has fully secure "Property Protected Areas", fully public areas, and working areas that bridge the two, but not formally secured so there is nothing physical that prevents an individual from entering the area.

Access to the campus as a whole is not controlled, other than to present a valid government issued ID at the security gate when entering the property. Access to the Site is managed through the administration of Fermilab Badges and approval of foreign visitors by the site access authority.

B. Entering the Fermilab Site

The Fermilab site comprises the non-public areas of the Laboratory or to Laboratory information, technologies or equipment that is available and intended to be used for scientific research in support of Fermilab's and the DOE's scientific mission.

In general, individuals seeking to enter the Fermilab site for purposes of tourism, general education or other reasons will not meaningfully "use" the working or scientific facilities that comprise the Fermilab site and are not seeking "access". Examples are:

- School tours
- Wednesday morning public tours
- Privately-arranged tours of scientific or experimental facilities or equipment

Such tours must be arranged and approved through the Office of Education and Public Outreach and follow the escort roles and responsibilities as outline in the DOE's UFV&A order (142.3A).

C. Accessing the Fermilab Site

1. *Overview.*

Any individual accessing the Fermilab Site must apply for and obtain a Fermilab ID Badge prior to such access occurring. Non-US Citizens accessing the Site must also be assigned a host and be approved by the Site Access Authority prior to receiving their Fermilab ID Badge.

2. *Badge Issuance*

a) Fermilab ID Badges for non-US citizens

Fermilab ID Badges for non-US citizens may be issued after the following steps are completed:

- Validation of the individual's association to Fermilab and approval of onsite access (both done via the Service Desk ticket)
- Verification and Documentation of data by the Relevant Badging Office
- Approval of access by the Site Approval Authority.
- If we have prior documentation that suggests that the individual had previously claimed a different immigration/citizenship status (such as prior documentation about LPR or nonimmigrant visa status), then the individual must present documents showing the change of status, such as a US passport or naturalization certificate that verifies the new claim.

3. *Processing of the Fermilab Badge*

The relevant badging office must

- verify the individual's
  - identity
  - immigration/citizenship status
  - medical insurance coverage for incidents on the Fermilab campus
    - User/Visitors are required to show proof of insurance
    - Sub-Contractors provide an insurance certificate during the Purchase Order process.
- copy documents and keep in a secure location. enter all required data into Workday/Fermiworks and assign the individual an appropriate Host.
- advise the individual of his/her assigned Host and Host-related obligations while onsite
- verify that the individual has completed all training required.

4. ***Documentation and Data Required for Site Access:***
   - Name, Birthdate, Country and City of Birth, Gender
   - Home Institution name and country, or Fermilab affiliated organization, and professional class
   - Onsite dates, experiment/division, host, emergency contact, Fermilab point of contact
   - Citizenship(s), LPR / Visa status, documentation including passport, visa, I-94, medical insurance, and any other pertinent documents.

D. Review and Approval

The Site Access Approver runs the non473 report in Workday/FermiWorks and reviews the information for typographical or substantive errors before approving the site access for the individual. If any errors or questions regarding the information are found, the approver calls the relevant badging office for clarification / correction of errors. Once the non473 has been verified, the Site Access Approver approves the access request in Workday/FermiWorks so that the individual can get their ID badge.

V. Validation

A. What is Validation?

This is the process by which an authorized representative of Fermilab confirms the legitimacy of a person's access.

B. Who must be validated?

Validation occurs (a) Subcontractors and Authorized Guest requiring access, (b) all Users and Visitors. Employees and Retirees are assumed to be "validated" through the employment and/or benefits relationships that exist.

C. When does Validation Occur?

Validation must occur before Access Approval.

D. What is the Validation List?

The Users Office shall maintain the Laboratory's Validation List via the Fermilab LISTSERV, which shall drive all other processes across the Laboratory that depend on, or derive from, Validation.

E. Who may serve as a Validator?

Only individuals having either (1) unexpired Access to Fermilab, or (2) unexpired computing privileges at Fermilab, may serve as Validators.

F. How is Validation Performed?

Validation currently is accomplished through ServiceNow, which is a computing system managed

and owned by the Fermilab Computing Division, Service Management Department. Validation is part of the request for new or renewed Fermilab computing privileges and onsite access.

1. ***Individuals seeking Access who have never had computing privileges or an ID badge***

An individual who wants Site Access but who does not already have valid Fermilab computing privileges must apply for new computing privileges and indicate whether or not they plan to be onsite by completing the "New User" service desk ticket request.

The authorized site access may not exceed the approval period for the computing privileges.

2. ***Individuals seeking access who currently or previously have had computing privileges***

An individual who wants Site Access and who already has Fermilab computing privileges (active or inactive) must apply for renewal of their computer privileges and indicate whether or not they plan to be onsite by completing the "User Renewal" service desk ticket request.

3. ***Individuals seeking access who are ineligible for computing privileges***

Several groups of people seeking access to Fermilab's site or campus are not eligible for computing privileges:

- Authorized Guests
- Contractors who do not require computing privileges to perform their contracted services

All other Contingent Workers (Authorized Guest and Contractor) who are processed through the Key & ID office, are validated through the contract contingent worker process in Workday/FermiWorks. Once the contractor information is entered into Workday/FermiWorks the system generates a notification to the Key & ID office. The notification is the validation that grants the contractor access to the Fermilab site.

G. ServiceNow

1. ***Request for computing privileges***

- Using a ServiceNow online interface, an individual seeking validation (the requestor) inputs their name, institution, experiment, or Fermilab affiliated organization and personal information, and also indicates if they are planning on being onsite. The submission of this information creates a "ticket" in the ServiceNow system.
- The FNAL affiliation (i.e. experiment or division that they are working with here at Fermilab) determines where the ticket is routed next within ServiceNow.
- The ServiceNow system forwards the "ticket" to the group of people who have been authorized to "validate" for the FNAL affiliation named in the request.
- The first validator to respond to the ticket, completes the validation stage of the ticket.
- Possible responses are limited to approval or denial.
- Additionally, though, it is possible that the Validators might never respond to the ticket, leaving it pending indefinitely. This often happens if the FNAL affiliation has been incorrectly identified by the Users. Every Wednesday, ServiceNow forwards a list of overdue validation requests to the Users Office, who reviews each request, identifies the error, and then emails either the User with specific instructions about how next to proceed or the validators for the experiment/division to get approval for the access.
- Approval of the ticket results in the assignment of a Fermi ID# to the requestor, as follows:
  - For Users and Visitors: The ticket is forwarded by ServiceNow to the Users Office for creation of a record in Workday/Fermiworks.

2. ***After the Workday/Fermiworks record is created:***

- The Users Office closes the ServiceNow task.

- The ticket then transfers back to the ServiceDesk for further processing/closeout of ticket.
- ServiceNow advises the user of the Fermi ID # assigned to him/her.

H. The Fermilab ID#

Traditionally, the Fermilab ID number has three separate 5-digit series:

- ID #s for Employees, Guest Scientist Retirees and Seasonal Employees are based on the "Employee" series of ID #s and include "N" at the end.
- ID #s for Contractors, Subcontractors, Joint Appointees, and Authorized Guests, which include "C" at the end; and
- ID #s for Users and Visitors, which include a "V" at the end.

VI. Access Requests

A. Visit versus Assignment

DOE rules mandate that a "visit" is less than 30 days, and an "assignment" is more than 30 days. A non-US citizen, though, cannot have access approved for more than 1 year.

As a result, each time an individual arrives at Fermilab and asks for access, it is considered a new "Access Request" in Workday/Fermiworks.

- If the individual's request is for more than one year, the Access Request is for one year, but then at the end of the year, the Access Request can be renewed.
- An Access Request also can be extended, if the original request was for less than one year but the individual has decided to remain longer on site.

B. Necessary Elements of an Access Request in Workday/Fermiworks

1. *Overview*

Each access request must contain (1) all data required for FACTS entry; and (2) Data required by the DOE Order 142.3a. Specifically, this is "sufficient documentation of immigrant or nonimmigrant status, citizenship, and identity."

Mandatory information includes:

- Document(s) confirming the individual's identity, including but not limited to any government-issued photo identification.
- Data about the nonimmigrant or immigrant status or other lawful presence in the U.S., including but not limited to pending Adjustment of Status, DACA, Temporary Protected Status (TPS) or other authorized forms of stay;

2. *Expired documents*

The Relevant Office (The Security Office, Users Office or Visa Office) performing the verification of the individual seeking site access must examine original documents to verify identity, status/lawful presence, stay, and authorization for activities. Generally, expired documents are not acceptable as evidence of status, stay or authorization to work.

- U.S. immigration law does not mandate that LPRs renew their Form I-551 Alien Registration Cards (Green Cards). Expired green cards therefore are acceptable evidence of identity and of immigrant status.
- Because of limitations within FACTS, the expiration date of expired green cards is removed during FACTS entry. The expiration date is included for Workday/FermiWorks entry and must be listed on the Form non473.
- If an individual presents an expired document of status/stay, it must be combined with evidence of the timely filing of an extension of status/stay.
  - For most NIV status holders, this will be a Form I-797 Receipt Notice showing a filing date before the expiration of the status/stay, PLUS a copy of the Form I-129

petition itself showing that an extension of status or stay was request. See attached documents (Proper Documentation for On-Site Access).

- For TPS a copy of the Federal Register page announcing the extension of TPS status. Depending on when the government issued the extension of TPS status, the individual might have a sticker on his/her EAD card indicating the extension.

VII. FACTS

A. What is FACTS?

FACTS is the Foreign Access Centralized Tracking System created by DOE as a database that every DOE national laboratory must enter data relating to access by non-US citizens to the laboratory "Site".

B. Who performs the FACTS Entry?

US citizen employees of the Users Office are the only Fermilab employees authorized to enter, maintain, and update all required data for all non-US citizens approved for Access into the DOE FACTS.

C. When are FACTS entries made?

FACTS entries must be made as follows:

- All non-US citizens accessing the Fermilab site must be entered into FACTS within 24 hours of the individual's approval for access.
- All representatives of politically sensitive foreign countries seeking entry to the Fermilab site also must be entered into FACTS prior to their arrival.

D. What other entries are made in FACTS?

The Users Office also must

- Closeout all visits/assignments within FACTS to confirm the departure of the non-US citizen at the end of the authorized site access
- Request security indices checks for T-3 individuals seeking site access, in coordination with the Site Approval Authority.

VIII. Hosts

A. When are Hosts Assigned?

Each non-US citizen Accessing Fermilab must be assigned a Host prior to their onsite access approval.

B. How does a Fermilab Employee become a Host?

Each experiment/project/Division/Center/Section provides Program Planning and the Chief Operating Officer with the names of person(s) within that organization who shall serve as Host.

If the COO approves the recommendation, the COO then notifies the Users Office accordingly.

C. What are The Users Office responsibilities regarding Hosts?

- Maintaining the laboratory's current Host List
- Adding the Host to Workday/FermiWorks
- Making sure that Hosts complete their host training annually
- Disseminating the Host List to other interested parties/offices across the Lab.

D. What training is provided to Hosts?

DOE has provided to Fermilab a video about Hosting that comprises the required Host Training. When necessary, the Users Office disseminates additional material about Hosting duties at

Fermilab.

E. What are the Qualifications to Serve as a Host at Fermilab?

- Only U.S. citizens employed by Fermilab may serve as Hosts.
- Hosts must complete Host Training no less than once per year.

F. What must Hosts do?

- Hosts are responsible for maintaining contact with assigned non-US citizens throughout the period of approved Access.
- Review their Host list in Workday/FermiWorks a minimum of every three months and advise The Users Office promptly of any errors or inconsistencies.
- Hosts must notify The Users Office of any temporary or permanent inability to serve as a Host. The Users Office shall immediately take any action necessary to ensure ongoing compliance with DOE guidance about Hosting, including re-assignment of the non-US citizen to another Host.

G. What support is provided to Hosts?

Hosts are notified of their assigned non-US citizens and provided with relevant contact information by no later than the start of such Access by Workday/FermiWorks, which sends out an automatic alert to the Host whenever there is a change in the Host's assignments (addition of a new individual to Host, or removal of a person from the Host). The Users Office also emails all Hosts quarterly with instructions on how to look at their host list in Workday/FermiWorks and reminds them of their duties as Hosts.

H. What are the Requirements of Non-US Citizens?

Non-US citizens must advise Hosts and The Users Office of: changes to name, passport or visa information; changes in U.S. immigration status, class of admission, or lawful presences; changes in dates of Access, or new or changed dates of departure; any interactions with U.S. law officials.

IX. REFERENCES

- DOE O 142.3a, Unclassified Foreign Visits and Assignments Program, dated 10-14-10.