

FOREIGN NATIONAL GUEST RESEARCHERS AT NIST

02/01/2011

Update to VCAT

Update October 2010

2

- High level meeting at DOC btw. NIST, NOAA, Office of Security (OSY) and Assistant Secretary for Administration to lay foundation for moving forward (Aug. 2010)
- Working Group reconvened to re-write Department Administrative Order (DAO) as a policy document that reflects a risk-based management approach to addressing Foreign National (FN) access in the context of protecting agency assets (Sept. 2010)
- Target for completion Jan. 2011

Interim measures

3

- Limited Unescorted Access (pilot program)
 - ▣ Provides means for allowing unescorted afterhours access by FNs
 - ▣ Requires description of purpose of access, responsibilities, direct/indirect work areas, any restricted material, and critical mission justification for unescorted access
 - ▣ Several dozen requests granted
- Limited Unescorted Access Areas
 - ▣ Common access spaces
 - ▣ Circulation spaces connecting direct work areas with indirect and common access areas

Progress on the DAO Re-write

4

- Revised DAO drafted after several iterations with Working Group. Key points include:
 - Draft DAO is structured as a high-level policy/guidance document with the responsibility for risk-based implementation placed on the Bureaus.
 - Development of each Bureau's management plan will rely on the inventory of sensitive assets, and how these are determined. DOC/OSY to provide a methodology/template for conducting the inventory.
 - Responsibility for determining which areas in our facilities are “open access” is placed with the Bureau.
 - Responsibility for determining which assets cannot be accessed by the Foreign National is placed with the Bureau.
 - Each Bureau will be responsible for developing their own implementation plan within 6 months of the DAO going into effect.

02/01/2011

Key Details from Latest Draft

5

□ Roles and Responsibilities

□ Office of Security

- Establish security policy, performance requirements and guidelines
- Offer security services (incl. training, vetting FNs, intelligence)
- Oversee Bureau performance
- Provide briefings to Bureau senior management officials

□ Bureaus

- Develop and implement risk-based management plans
- Conduct inventories and risk assessments of facilities and sites
- Make risk based determinations on work to be performed by FNs, FN access levels and appropriate controls
- Ensure employees receive necessary training

02/01/2011

The Positive...

6

- Places responsibility for implementing the Foreign National Guest program with each Bureau
- Significant shift in philosophy and approach – from “they **can't** access anything except ...” to “they **can** access everything except ...”

But...

7

- Since the inventory of sensitive assets is so key to the construct of this DAO and its implementation, we cannot proceed with the DAO until we see and agree to OSY's proposed methodology.
- We also have to take into account the additional resources that might be required to meet the stipulations of the new DAO.
- We have been tweaking the definition of “sensitive assets” in several iterations – not completely comfortable with the current version, too open to interpretation, but it's been a hard one to nail down.
- Definition of “use” versus “access” unclear.

External Reviews

8

- Meeting with Department of Health and Human Services security office
 - ▣ HHS Draft policy
 - Similar issues/concerns with NIH
 - Policy addresses visitors in general, and Foreign visitors as a subset
 - Clearly puts authority for approval of FN visits with the agencies (with some exceptions)
- Other meetings?

Next Steps

9

- OSY to propose template for conducting asset inventory and methodology for preparing risk-based management plans (mid-January)
- Bureaus to provide feedback and any other revisions to the Draft DAO (end January)
- Finalize DAO for legal and upper management reviews (?)

In conclusion

10

- We have made progress
 - ▣ ... but the devil's in the details
- We won't know if we have a workable DAO until we hammer out the specific details
- Ultimately, we have to agree on a policy that:
 - ▣ Works in the context of the NIST mission;
 - ▣ Addresses need for protecting sensitive assets;
 - ▣ Places the authorities for risk-based management of security programs with the Bureaus; and
 - ▣ Enables a partnership of trust between OSY and NIST

02/01/2011