

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

ORDER

DOE O 473.2

Approved: 6-30-00
Sunset Review: 6-30-02
Expiration: 6-30-04

SUBJECT: PROTECTIVE FORCE PROGRAM

1. OBJECTIVES. To establish policy, requirements, responsibilities, and authorities, for the management and operation of the Department of Energy (DOE) Protective Force (PF) Program.
2. CANCELLATIONS. Publication of this Order cancels DOE 5632.7A, PROTECTIVE FORCE PROGRAM, dated 2-13-95. Cancellation of an Order does not, by itself, modify or otherwise affect any contractual obligations to comply with the Order. Canceled Orders that are incorporated by reference into a contract must remain in effect until the contract is modified to delete the reference to the requirements in the canceled Order.
3. APPLICABILITY.
 - a. DOE Elements. This Order applies to DOE Elements and those organizations under the cognizance of the Administrator, National Nuclear Security Administration (NNSA); responsible for management and operation of PFs to ensure the protection of classified matter, nuclear materials, and other safeguards and security (S&S) interests, from theft, diversion, industrial sabotage, radiological sabotage, toxicological sabotage, espionage, unauthorized access and control, compromise, and other acts that may cause unacceptable adverse impacts on national security, the health and safety of DOE and contractor employees, the public, or the environment.
 - b. Contractors. Except for the exclusions in paragraph 3c, the Contractor Requirements Document (CRD), Attachment 1, sets forth requirements that are to be applied to contractors awarded contracts requiring PFs to provide physical protection of DOE S&S interests. Contractor compliance with the CRD will be required to the extent set forth in a contract or other agreement.
 - c. Exclusions. Requirements in this Order that overlap or duplicate requirements of the Nuclear Regulatory Commission related to the S&S of nuclear material do not apply to the design, construction, operation, and decommissioning of Office of Civilian Waste Management facilities.

DISTRIBUTION:
All Departmental Elements

INITIATED BY:
Office of Safeguards and Security

- d. Deviations. Deviations (i.e., variances, waivers, and exceptions) from the requirements prescribed in this Order and DOE M 473.2-2, PROTECTIVE FORCE PROGRAM MANUAL, must be processed in accordance with DOE O 470.1, SAFEGUARDS AND SECURITY PROGRAM.

4. REQUIREMENTS.

- a. S&S interests must be protected from theft, diversion, industrial sabotage, radiological sabotage, toxicological sabotage, espionage, unauthorized access and control, compromise, and other hostile acts that may cause unacceptable adverse impacts on national security or the health and safety of DOE and contractor employees, the public, or the environment.
- b. PFs must be provided training, equipment, and resources to ensure effective performance of assigned functions and tasks under both normal and emergency conditions.
- c. PF personnel must comply with DOE policy on the use of force as established in 10 CFR 1047, Limited Arrest Authority and Use of Force by PF Officers, and 10 CFR 1049, Limited Arrest Authority and Use of Force by Strategic Petroleum Reserve PF Officers, as applicable.
- d. PF personnel must comply with Departmental medical, physical fitness, and firearms qualifications and training requirements as established in 10 CFR 1046, Physical Protection of Security Interests.
- e. PFs are used to protect the Department's S&S interests from theft, diversion, industrial sabotage, radiological sabotage, toxicological sabotage, espionage, unauthorized access, loss, compromise, and other hostile acts that may cause unacceptable adverse impacts on national security, program continuity, the health and safety of Departmental and contractor employees, the public, or the environment; and to protect life and property as defined in 10 CFR 1047 and 1049. Armed Security Police Officers must be assigned to protect security areas that—
 - (1) receive, use, process, or store Category I or II quantities of special nuclear material (SNM) (see DOE O 474.1, CONTROL AND ACCOUNTABILITY OF NUCLEAR MATERIALS);
 - (2) manufacture, store, or test nuclear weapons, nuclear test devices, or complete nuclear assemblies;
 - (3) represent a significant target for radiological or toxicological sabotage; or

- (4) contain a unique capability in DOE that must be protected for purposes of program continuity or to preclude an unacceptable adverse impact to national security, the health and safety of DOE and contractor employees, the public, or the environment when the need has been so designated by the head of the Field Element, with concurrences from the Director, Office of Security Affairs (OSA) and the cognizant Secretarial Officer.
- f. Armed DOE PF personnel designated as Special Agents under the cognizant authority of the DOE Albuquerque Operations Office, Transportation Safeguards Division, must provide for the safe, secure, off-site domestic transportation of—
 - (1) DOE-owned or -controlled nuclear explosives and nuclear devices;
 - (2) Category II or greater quantities of SNM, excluding naval reactor core shipments;
 - (3) any form of plutonium-238 in excess of 5 grams;
 - (4) limited-life components of nuclear weapons; or
 - (5) other materials as specified by statute, directive, or competent authority.
- g. Special response teams (SRTs) or SRT capabilities must be available at DOE sites or facilities containing Category I quantities of SNM.
- h. Credentials and shields are issued to qualified DOE employees, Federal Officers/ Special Agents, and contractor PF personnel to provide official identification and to indicate that the bearer has the authority to perform assigned official duties. Credentials and shields must be used only during the performance of official duties. The design of credentials and shields must be approved by OSS, and where applicable, the cognizant local DOE/NNSA authority for S&S, as applicable.
- i. Unarmed Security Officers may be used to enforce the protection requirements of S&S directives where armed PF personnel are not required.
- j. Written plans, post orders (POs), general orders (GOs), and procedures covering PF routine, emergency, and administrative duties; tactical deployment; and other operational requirements must be developed.

- k. DOE security helicopter operations must provide timely and effective response to security emergencies. DOE security helicopters may be used for PF transport, command, control, communications, and surveillance and as a firing platform, when required.
- l. PFs must be equipped to effectively, efficiently, and safely perform both routine and emergency duties. Equipment must be tailored to counter adversaries identified in *Design Basis Threat for Department of Energy (DOE) Programs and Facilities* (U), site-specific threat guidance, or the Site Safeguards and Security Plan. PF equipment must be available in sufficient quantities and properly maintained to support the PF mission.
- m. Permanent PF posts that control access to areas containing nuclear weapons, test devices, complete nuclear assemblies, or Category I or II quantities of SNM must meet the location, human factors, construction, lighting, and vehicular access control requirements of DOE M 473.2-2, Chapter VI.
- n. Performance tests must be used to realistically evaluate and verify the effectiveness of PF programs, identify and provide training for personnel, identify areas requiring system improvements, validate implemented improvements, and motivate PF personnel. Performance tests must adhere to the requirements found in DOE M 473.2-2, Chapter VII, and DOE 470.1, Chapter III. All major functions of the PF must be tested.
- o. Protection measures, including the use of armed personnel, may be provided for the protection of the Secretary of Energy and/or Deputy Secretary within or outside the United States. The Secretary must determine the extent and nature of any protection measures to be performed.

5. RESPONSIBILITIES.

- a. Lead Program Secretarial Offices (LPSOs).
 - (1) Ensure management oversight of field PF operations in terms of: performance-based management; implementation of cross-cutting policies and requirements; and institutional health, integration of operations and programs, and long-term planning.
 - (2) Ensure that PFs under their cognizance are managed, trained, equipped, and provided facilities and logistical, intelligence, communications, and other support services to maintain adequate protection of S&S interests, as required by this and other S&S and related directives.

- (3) Ensure that this Order and the corresponding Manual are implemented in the appropriate contracts and that, where implemented, contractors are instructed to assist DOE Elements in fulfilling the requirements of this Order and its corresponding Manual, as determined appropriate for each site.
- b. Director, Office of Security and Emergency Operations. Through the Director, OSA, provides guidance and coordination in the development, implementation, promulgation, and clarification of PF policy.
- c. Director, OSA.
 - (1) Promulgates and establishes S&S policies, standards, requirements, and guidance for the PF Program.
 - (2) Authorizes, and may delegate authority to authorize, the carrying of firearms and the making of arrests without warrant by DOE/NNSA and contractor PF personnel, as necessary, in the performance of official duties, pursuant to section 161k of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2201k), or section 661 of the DOE Organization Act, as amended (42 U.S.C. 7270a), as applicable.
- d. Director, OSS.
 - (1) Serves as the Departmental focal point for PF Program matters.
 - (a) Reviews, develops, and coordinates policy requirements and guidance for the management, operation, training, equipping, and performance testing of DOE PFs.
 - (b) For the Headquarters PF Program, assumes those responsibilities and authorities prescribed for heads of DOE Elements and heads of Field Elements in paragraphs 5a and 5g. Through the Director, Headquarters Operations Division, provides management and direction and establishes policies, procedures, and plans for maintenance and operation of the Headquarters PF and Executive Protection Programs.
 - (c) Maintains national level liaison with civilian and military law enforcement agencies and serves as the DOE focal point for such liaison.
 - (d) Manages and operates the DOE Headquarters Federal Officer Program.

- (e) Coordinate field requirements with procurement offices to consolidate PF firearms, chemical/biological personal protective equipment, and other applicable PF equipment procurement requirements, facilitate identification of procurement contracts, and develop interagency agreements.
- e. Assistant Secretary for Environment, Safety and Health. Assists in the development of PF policy issues to ensure safety, medical, and health considerations are properly integrated.
- f. Director, Office Independent Oversight and Performance Assurance. Through the Director, Office of Security Evaluations, provides independent inspection and evaluation to assess the effectiveness of S&S programs implemented under this Order and DOE M 473.2-2.
- g. Director, Naval Nuclear Propulsion Program. In accordance with the responsibilities and authorities assigned by Executive Order 12344 [statutorily prescribed by Public Law 98-525 (42 U.S.C. 7158, note)] and to ensure consistency throughout the joint Navy/DOE organization of the Naval Nuclear Propulsion Program, implements and oversees all pertinent requirements for activities under the Director's cognizance.
- h. Heads of Field Elements.
 - (1) In addition to the responsibilities in paragraph 5a, oversee PFs to ensure DOE S&S interests are adequately protected.
 - (2) Ensure the development and maintenance of directives, plans, POs, GOs, and procedures for the direction of PF personnel in both normal and emergency duties.
 - (3) Oversee contractor development, implementation, and management of PF programs in accordance with this Order.
 - (4) As delegated by the Director, OSA, authorize DOE/NNSA and contractor PF employees to carry firearms and make arrests without warrant.
 - (5) Ensure that PF personnel under their authority meet mandatory training and qualification requirements as delineated by this Order and 10 CFR 1046.
 - (a) Ensure resources are provided to train and equip PFs and to maintain associated equipment, facilities, and supplies.

- (b) Approve site- and facility-specific training programs for Federal Officers, Security Police Officers, Security Officers, and PF special skills positions.
 - (6) Ensure liaison is maintained with the Federal Bureau of Investigation and other Federal, State, and local law enforcement agencies that may be required to supplement DOE/NNSA and contractor PF personnel for response to S&S incidents.
 - (7) Ensure the development and annual review/verification of memorandums of understanding/agreement with local, State, and Federal law enforcement agencies to document expected support during site S&S incidents.
 - (8) Ensure each procurement requiring the application of this Order includes Attachment 1 of this Order or identification of the specific requirements applicable to the contractor or other awardee and impose a requirement to include Attachment 1 or such specific requirements in any subcontract or subaward.
 - (9) Ensure PF programs are managed and implemented consistent with the cognizant LPSO guidance.
 - i. Manager, Albuquerque Operations Office. In addition to the responsibilities listed in paragraph 5g, ensures the development of medical, physical fitness, and training program requirements and operating procedures for Transportation Safeguards Division Special Agents.
 - j. Administrator, NNSA. Through the Chief, Defense Nuclear Security, NNSA; ensures the development and implementation of security programs, including the protection, control, and accounting of materials, and for physical and cyber security of all facilities of the NNSA.
6. REFERENCES. See DOE M 473.2-2, PROTECTIVE FORCE PROGRAM MANUAL.
7. CONTACT. Questions concerning the requirements in this Order should be directed to the Program Manager, Protection Program Operations, OSS, at (301) 903-5693.
8. IMPLEMENTATION. These requirements must be implemented as soon as possible, consistent with collective bargaining and similar agreements and contractual requirements. Implementation plans for any requirements that cannot be implemented within 6 months of the effective date of this Order or within existing resources must be developed by heads of Field

Elements and submitted to the respective LPSO. Copies of these plans must be forwarded to the Office of Security and Emergency Operations, through the OSS.

BY ORDER OF THE SECRETARY OF ENERGY:



T.J. GLAUTHIER
Deputy Secretary

CANCELED

CONTRACTOR REQUIREMENTS DOCUMENT

CONTRACTOR PROTECTIVE FORCE PROGRAM REQUIREMENTS

DOE contractors must adhere to the same Protective Force (PF) Program standards for protecting safeguards and security (S&S) interests, including but not limited to, nuclear weapons, explosives, and components; special nuclear material (SNM); vital equipment; classified matter; assets; facilities; and other property of interest to the S&S Program as Department of Energy (DOE) Elements and their personnel.

1. REQUIREMENTS.

- a. Contractors must protect S&S interests from theft, diversion, industrial sabotage, radiological sabotage, toxicological sabotage, espionage, unauthorized access and control, loss, compromise, and other hostile acts that may cause unacceptable adverse impacts on national security, the health and safety of DOE and contractor employees, the public, or the environment.
- b. PFs must be provided training, equipment, and resources to ensure effective performance of assigned functions and tasks under both normal and emergency conditions.
- c. PF personnel must comply with medical, physical fitness, and firearms qualifications and training criteria established by regulation [see Title 10, Code of Federal Regulations, Part 1046 (10 CFR 1046), Physical Protection of Security Interests].
- d. PF personnel must comply with DOE policy on the use of force as established in 10 CFR 1047, Limited Arrest Authority and Use of Force by PF Officers, and 10 CFR 1049, Limited Arrest Authority and Use of Force by Strategic Petroleum Reserve PF Officers, as applicable.
- e. Contractors must assign armed Security Police Officers to protect security areas that—
 - (1) receive, use, process, or store Category I or II quantities of SNM (see DOE O 474.1, CONTROL AND ACCOUNTABILITY OF NUCLEAR MATERIALS);
 - (2) manufacture, store, or test nuclear weapons, nuclear test devices, or complete nuclear assemblies;
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- (4) contain a unique capability in DOE that must be protected for purposes of program continuity or to preclude an unacceptable adverse impact to national security; program continuity; the health and safety of DOE and contractor employees, the public, or the environment when the need has been so designated by the head of the Field Element, with concurrences from the Director of Security Affairs and the cognizant Secretarial Officer.
- f. Special Response Teams (SRTs) or SRT capabilities must be available at DOE sites or facilities containing Category I quantities of SNM.
- g. Credentials and shields are issued to qualified contractor PF personnel to provide official identification and to indicate that the bearer has the authority to perform assigned official duties. Credentials and shields must be used only during the performance of official duties. The design of S&S credentials and shields must be approved by the Office of Safeguards and Security (OSS) and, where applicable, the cognizant local DOE/NNSA authority for S&S, as applicable.
- h. Unarmed Security Officers may be used to enforce the protection requirements of S&S directives where armed personnel are not required.
- i. Contractors must develop and maintain written plans, post orders, general orders, and procedures covering PF routine, emergency, and administrative duties; tactical deployment; and other operational requirements.
- j. DOE security helicopter operations must provide timely and effective response to security emergencies. DOE security helicopters may be used for PF transport, command, control, communications, and surveillance and as a firing platform, when required.
- k. PFs must be equipped to effectively, efficiently, and safely perform routine and emergency duties. Equipment must be tailored to counter adversaries identified in the *Design Basis Threat for Department of Energy (DOE) Programs and Facilities* (U), site-specific threat guidance, and/or the Site Safeguards and Security Plan. PF equipment must be available in required quantities and properly maintained to support the PF mission.
- l. Permanent PF posts that control access to areas containing nuclear weapons, nuclear test devices, complete nuclear assemblies, and/or Category I or II quantities of SNM must meet the location, human factors, construction, lighting, and vehicular access control requirements in Chapter VI of DOE M 473.2-2, Protective Force Program Manual.

- m. Performance tests must be used to realistically evaluate and verify the effectiveness of PF programs, identify needed training and provide training for personnel, identify areas requiring system improvements, validate implemented improvements, and motivate PF personnel. Performance tests must adhere to the requirements found in DOE O 470.1, Safeguards And Security Program; DOE O 473.2, and DOE M 473.2-2. All major functions of the PF must be tested.
 - n. Protection measures, including the use of armed personnel, may be provided to protect the Secretary of Energy and/or Deputy Secretary within or outside the United States. The Secretary must determine the extent and nature of any protection measures to be performed.
- 2. REFERENCES. See DOE M 473.2-2 for references.
 - 3. CONTACT. Questions concerning these requirements should be directed to the Program Manager, Protection Program Operations, OSS, at (301) 903-5693.
 - 4. IMPLEMENTATION. These requirements must be implemented as soon as possible, consistent with collective bargaining and similar agreements and contractual requirements. Implementation plans for any requirements that cannot be implemented within 6 months of the effective date of this Order or within existing resources must be developed by heads of Field Elements and submitted to the respective Lead Program Secretarial Officer. Copies of these plans must be forwarded to the Office of Security and Emergency Operations, through the OSS.