

GAO

Testimony

Before the Subcommittee on Military Procurement,
Committee on National Security, House of Representatives

Statement submitted
on September 26, 1996

DOE SECURITY

Information on Foreign
Visitors to the Weapons
Laboratories

Statement for the Record by
Bernice Steinhardt, Associate Director,
Energy, Resources, and Science Issues,
Resources, Community, and Economic
Development Division



Mr. Chairman and Members of the Subcommittee:

We appreciate the opportunity to provide this statement for the record about unclassified visits by foreign nationals to the Department of Energy's (DOE) nuclear weapons laboratories—the Lawrence Livermore National Laboratory in California and the Los Alamos National Laboratory and the Sandia National Laboratories in New Mexico. As agreed with your staff, this statement responds to the Committee's directive dated May 7, 1996,¹ and provides (1) a comparison of the foreign visitors to DOE's weapons laboratories over the last several years with the 1986-87 foreign visitor levels we reported in 1988;² (2) the number of visitors to these laboratories who were from countries DOE has designated as "sensitive" because of national security, terrorism, regional instability, or nuclear proliferation concerns; and (3) the major changes that have occurred in the requirements for controlling visitors' access to the laboratories over the last several years.

In summary, the information we have obtained shows that the number of foreign visitors to DOE's nuclear weapons laboratories is increasing. From January 1993 through June 1996, approximately 5,900 foreign visits to the weapons laboratories occurred annually on average. This is a 55 percent increase over the 3,800 foreign visits on average that occurred annually during 1986 and 1987. This upward trend is continuing; the average annual number of foreign visitors has increased steadily over the last few years. Moreover, the number of visitors from sensitive countries has also increased, and at a faster rate than the number from other countries. The average annual number of visitors from sensitive countries during 1993 through 1996 was 1,679, or more than 225 percent greater than the annual average of 513 visitors from sensitive countries during 1986 and 1987. Finally, the requirements for allowing foreign visitors into the laboratories have changed. Among other things, headquarters has delegated to DOE's laboratories greater authority to approve foreign visitors to nonsensitive areas than was the case in 1988. In addition, requirements for background checks have changed. In 1988, all visitors from communist countries required background checks regardless of the purpose of the visit. Currently, at some laboratories, background checks are only required for visitors from sensitive countries—which include most of the countries

¹The directive is contained in the House Committee on National Security's report on H.R. 3230 (Report 104-563, May 7, 1996).

²Nuclear Nonproliferation: Major Weaknesses in Foreign Visitor Controls at Weapons Laboratories (GAO-RCED-89-31, Oct. 11, 1988).

designated as communist in 1988—who will be visiting secure areas or discussing sensitive subjects.

Background

The Lawrence Livermore, Los Alamos, and Sandia National Laboratories conduct research and development for DOE's nuclear weapons program and other classified activities related to defense and energy issues. These laboratories also conduct a wide range of unclassified activities that do not have weapons applications, such as applied environmental technologies, solar and geothermal energy, transportation technologies, and nuclear safety. Because of these broad activities, a policy of more openness and international cooperation, and/or the need for specialized expertise, DOE allows substantial numbers of foreign visitors access to these laboratories.³ Access by foreign visitors to the laboratories can be for either visits (up to 30 days) or assignments (over 30 days but less than 2 years) to participate in workshops or hold technical discussions, contribute to specific research projects, or work on laboratory research and development activities. In addition, some foreign nationals are hired by the laboratories as employees; they are also considered foreign visitors.

In 1988, we issued a report that detailed a number of problems with DOE's controls over foreign visitors to these facilities. These problems included inadequate prescreening of foreign visitors, poor identification and review of visits that could involve potentially sensitive subjects, and insufficient practices for approving, monitoring, and reporting foreign visits. In response, DOE revised its control procedures to require that necessary background checks be completed before access to the laboratories is granted and established a DOE-wide foreign visitor reporting and tracking system to better oversee this activity. More recent events, including dramatic changes in the nuclear arms race, the demand for technology to solve massive environmental problems, and the international competition facing U. S. industry, have caused many to reexamine the roles of the laboratories. As a result, the roles of the weapons laboratories have been changing and becoming more diversified. DOE is studying the security implications of the changing role of the laboratories and of foreign visitors to these laboratories.

³DOE defines a foreign visitor as any person who is not a U.S. citizen, including individuals who are permanent resident aliens.

Number of Visitors to the Weapons Laboratories

Substantial numbers of foreign visitors are allowed access to the weapons laboratories each year, and the number of these visitors is increasing. On the basis of data contained in our 1988 report, DOE averaged about 3,800 foreign visitors annually to the weapons laboratories during 1986 and 1987. Since 1993, the number of foreign visitors to these laboratories has averaged almost 5,900 annually—an increase of 55 percent. Furthermore, the number of foreign visitors is continuing to rise. During 1993, over 5,000 foreign visitors entered the weapons laboratories; in the following year, this number increased to almost 6,000, and in 1995 the total number of foreign visitors was over 6,200. The number of foreign visitors during the first half of 1996 totaled over 3,350. If that rate is maintained, the number of foreign visitors for 1996 will be over 6,700.

Appendix I contains information on the number of visitors to the laboratories. Figure I.1 compares the average annual number of foreign visitors to the laboratories during the periods 1986 through 1987 and 1993 through 1996. Figure I.2 provides the number of foreign visitors to each laboratory during 1993 through 1996.

Number of Visitors From Sensitive Countries

Certain countries have been designated by DOE as sensitive because of concerns about national security, terrorism, regional instability, or nuclear proliferation concerns.⁴ The number of visitors to the weapons laboratories from these sensitive countries is increasing at a faster rate than visitors from nonsensitive countries. During 1986 and 1987, an average of 513 foreign visitors from sensitive countries were allowed access to the laboratories each year. However, during the period from 1993 through 1996, that average rose to 1,679 visitors from sensitive countries annually—an increase of over 225 percent. Most of these foreign visitors came from China, India, Israel, Taiwan, and the states of the former Soviet Union. Individuals from these countries account for 5,476 (93 percent) of the 5,878 visitors from sensitive countries to the weapons laboratories since 1993.

Appendix II contains details on the visitors from sensitive countries to the weapons laboratories. Figure II.1 shows a comparison of the average annual number of visitors from sensitive countries during the periods 1986-87 and 1993-96. Figure II.2 compares for the two periods the average annual number of visits from the sensitive countries that had the most

⁴DOE previously designated countries of concern as either communist or sensitive. All countries of concern are now identified as sensitive countries.

visitors. Table II.1 details the number of visitors from each sensitive country during 1993-96.

Major Changes in the Requirements for Allowing Access to Laboratories by Foreign Visitors

DOE has always controlled foreign visitors' access to the weapons laboratories. These controls for unclassified foreign visits are set forth currently in DOE Order 1240.2B. That order, among other things, describes the responsibilities of each organization involved in foreign visits and details the process that must be used to allow access by foreign visitors to the laboratories. Two of the key controls contained in the order are the (1) visit approval requirements and (2) background checks of foreign visitors. Both of these controls have changed since our 1988 report.

DOE has delegated to the laboratories a significant part of the authority to approve foreign visitors to the laboratories. Previously, DOE reviewed and approved all visits to secure areas, visits involving sensitive subjects, high-level foreign officials, all visits involving foreign nationals from sensitive countries, and all assignments regardless of country of origin. DOE headquarters offices previously held much of this approval authority. Currently, DOE headquarters approves visits involving visitors from sensitive countries to secure areas and concurs with DOE field office decisions on visits involving sensitive subjects and high-level foreign officials. All other approval authority has been fully delegated to the DOE field offices. This authority has been further delegated to the laboratories. Consequently, the laboratories now approve all visits that do not involve high-level foreign visitors, sensitive subjects, or secure areas. At Los Alamos, for example, the laboratory approved 94 percent of its foreign visitors in 1995. Appendix III provides a comparison of the past and current authorization levels for approving foreign visitors.

The requirements for background checks have also changed. Previously, DOE required background checks for visits (up to 30 days) and assignments (more than 30 days) to secure areas by foreign nationals from sensitive countries and all visitors from communist countries.⁵ DOE currently requires background checks for foreign nationals from sensitive countries who are on assignments or on visits involving secure areas or

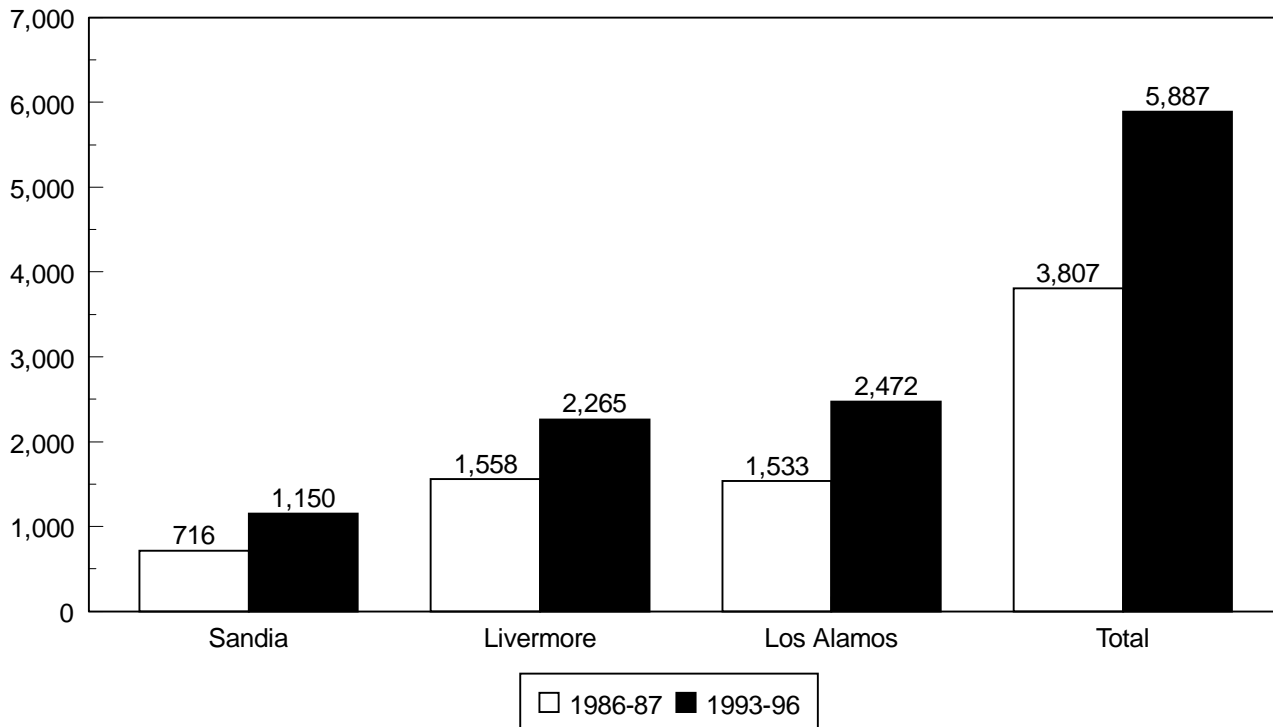
⁵At Livermore, background checks were required on all assignments regardless of country of origin.

sensitive subjects. However, because of an exemption that DOE granted to Los Alamos and Sandia, background checks at these laboratories are required only for visits by foreign nationals that involve access to secure areas or a sensitive subject. At Livermore, background checks on visitors from sensitive countries who are on assignments are still required.

This concludes our statement for the record.

All Foreign Countries: Visits and Assignments to DOE Weapons Laboratories

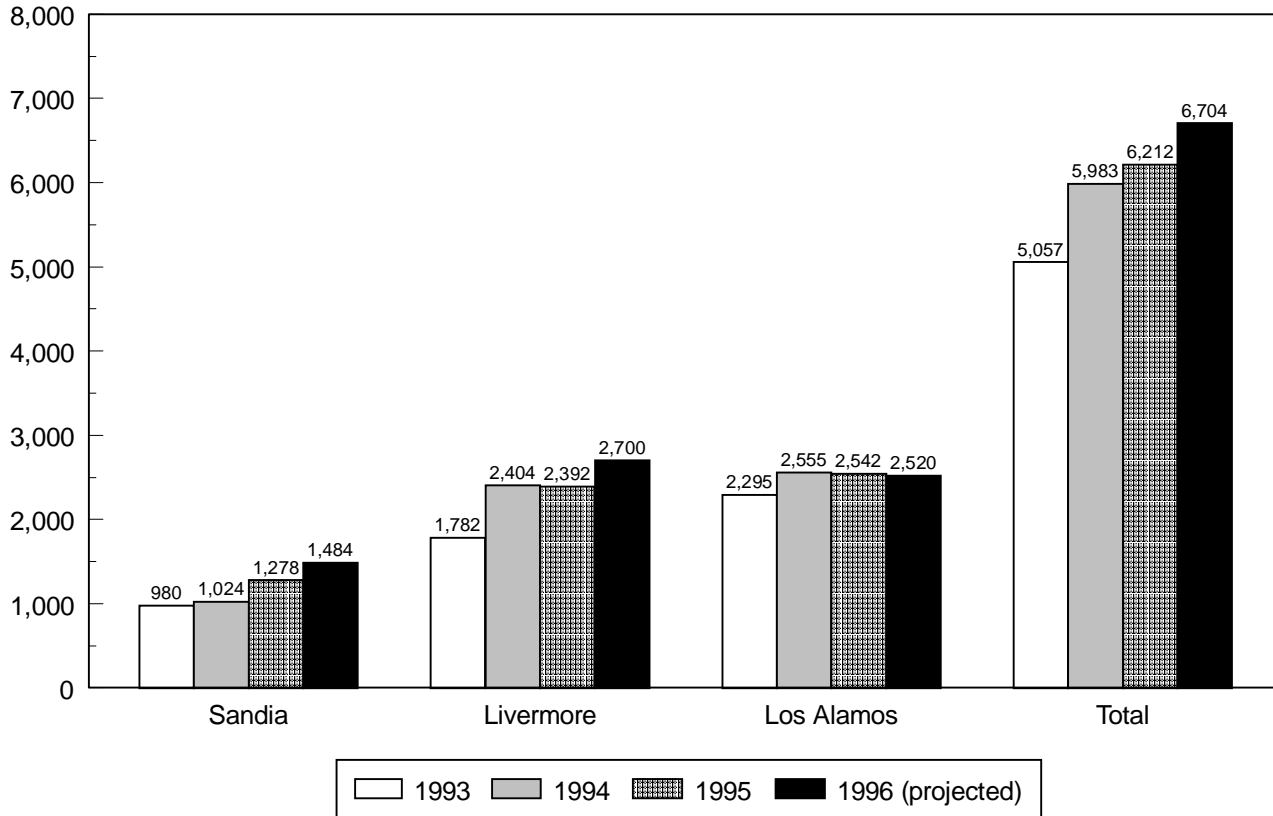
Figure I.1: Average Annual Foreign Visits and Assignments to DOE Weapons Laboratories, Calendar Years 1986-87 and 1993-96



Sources: Office of Personnel and Information Security, Los Alamos; Foreign National Visits and Assignments Office, Livermore; Safeguards and Security Special Projects Team, Sandia.

Appendix I
All Foreign Countries: Visits and
Assignments to DOE Weapons Laboratories

Figure I.2: Foreign Visits and Assignments to DOE Weapons Laboratories, January 1993-June 1996

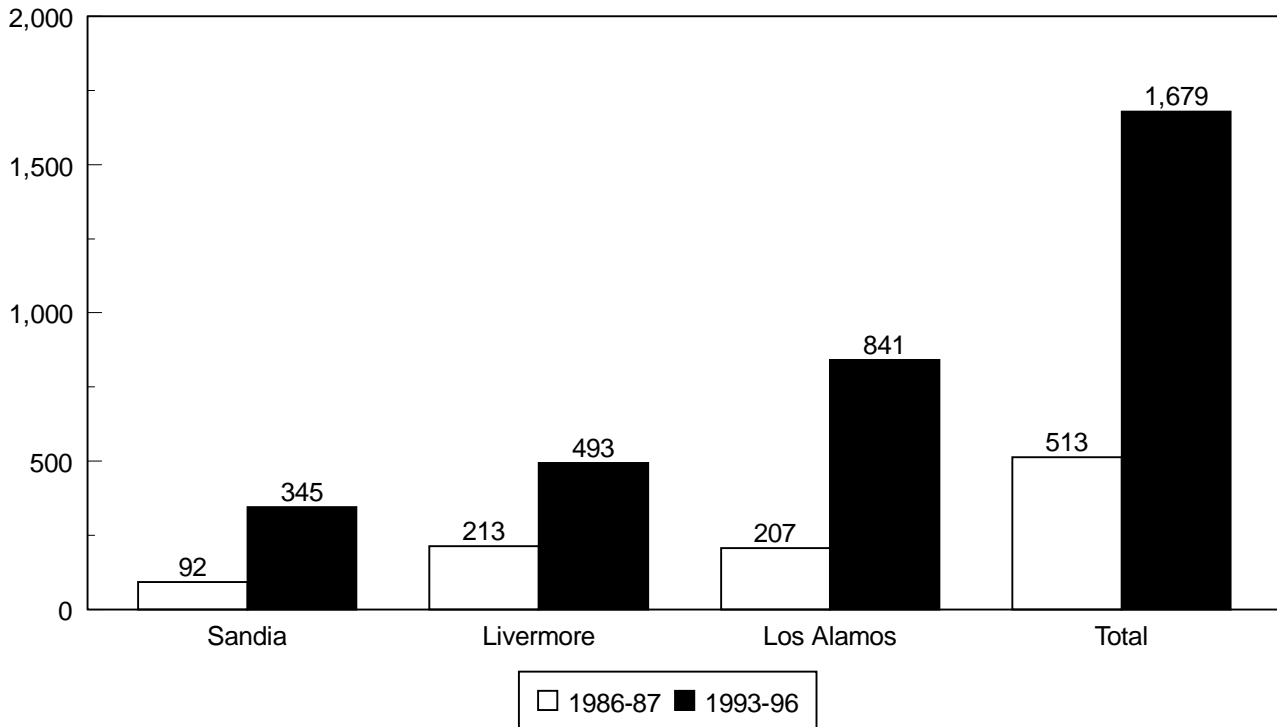


Note: Projected totals for 1996 are based on 6-month actual totals (Los Alamos—1,260; Livermore—1,350; Sandia—742).

Sources: Office of Personnel and Information Security, Los Alamos; Foreign National Visits and Assignments Office, Livermore; Safeguards and Security Special Projects Team, Sandia.

Sensitive Foreign Countries: Visits and Assignments to DOE Weapons Laboratories, Calendar Years 1986-87 and 1993-96

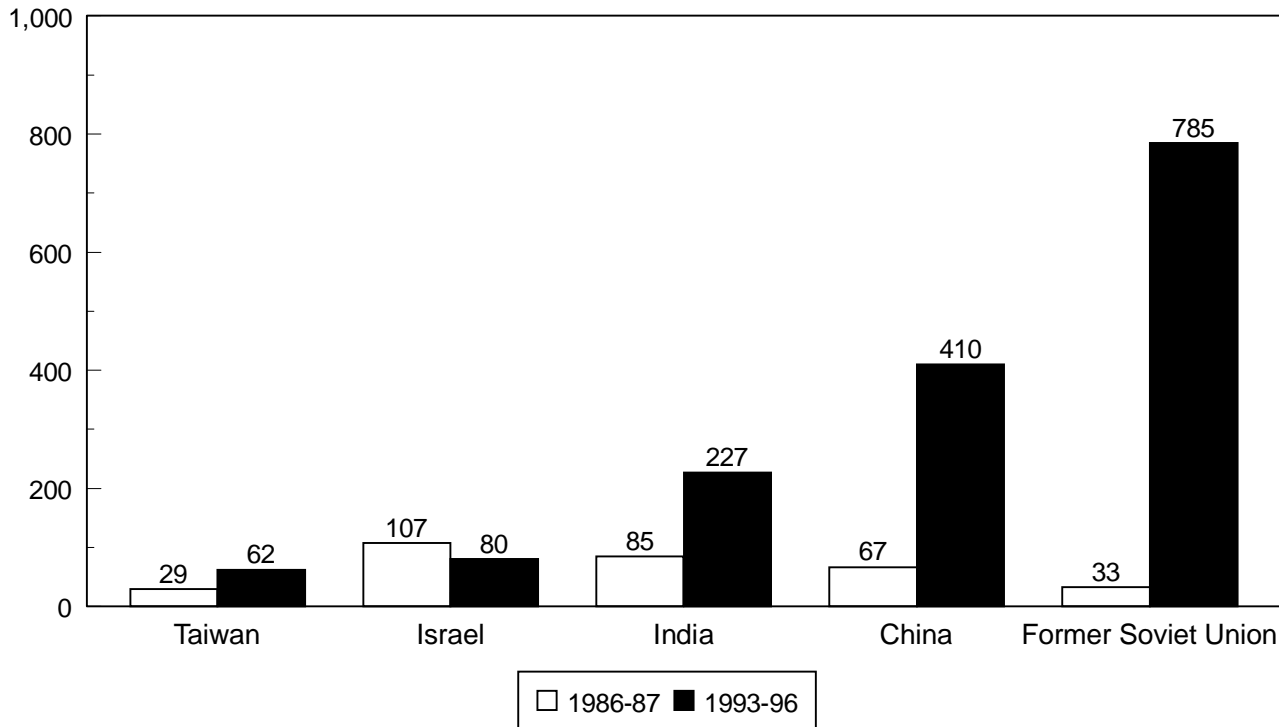
Figure II.1: Sensitive Foreign Countries: Average Annual Visits and Assignments to DOE Weapons Laboratories, Calendar Years 1986-87 and 1993-96



Sources: Office of Personnel and Information Security, Los Alamos; Foreign National Visits and Assignments Office, Livermore; Safeguards and Security Special Projects Team, Sandia; Office of International Technology Cooperation, DOE headquarters.

Appendix II
Sensitive Foreign Countries: Visits and
Assignments to DOE Weapons Laboratories

Figure II.2: Sensitive Foreign Countries With the Highest Average Annual Visits and Assignments to DOE Weapons Laboratories, Calendar Years 1986-87 and 1993-96



Sources: Office of Personnel and Information Security, Los Alamos; Foreign National Visits and Assignments Office, Livermore; Safeguards and Security Special Projects Team, Sandia; Office of International Technology Cooperation, DOE headquarters.

Appendix II
Sensitive Foreign Countries: Visits and
Assignments to DOE Weapons Laboratories

Table II.1: Visitors From Sensitive Countries to DOE Weapons Laboratories, Jan. 1993—June 1996

Sensitive country^a	1993	1994^b	1995	Jan.-June 1996	Total
Algeria	5	7	5	3	20
Argentina	20	6	•	•	26
Brazil	21	18	•	•	39
Bulgaria	4	10	•	•	14
Burma	1	0	•	•	1
Cambodia	1	0	•	•	1
Chile	6	4	•	•	10
China	235	525	442	232	1,434
Cuba	0	1	3	0	4
El Salvador	1	0	•	•	1
Ethiopia	3	3	•	•	6
India	126	245	256	168	795
Iran	13	21	25	10	69
Iraq	0	4	3	1	8
Israel	69	88	73	51	281
Libya	0	1	1	0	2
Pakistan	3	11	7	3	24
Romania	5	8	•	•	13
So. Africa	10	7	•	•	17
So. Korea	63	40	•	•	103
Fr.Soviet U. ^c	760	705	797	486	2,748
Syria	0	1	2	4	7
Taiwan	47	64	73	34	218
Vietnam	0	5	•	•	5
Yugoslavia	26	6	•	•	32
Total	1,419	1,780	1,687	992	5,878

^aIn addition, North Korea and Sudan are sensitive countries but did not have visitors to the laboratories during 1993-96.

^bAs of July 28, 1994, the following countries were no longer considered sensitive: Argentina, Brazil, Bulgaria, Burma, Cambodia, Chile, El Salvador, Ethiopia, Romania, South Africa, South Korea, Vietnam, and Yugoslavia.

^cThe countries making up the former Soviet Union include Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. Estonia, Latvia, and Lithuania are nonsensitive countries.

Sources: Office of Personnel and Information Security, Los Alamos; Foreign National Visits and Assignments Office, Livermore; Safeguards and Security Special Projects Team, Sandia; Office of International Technology Cooperation, DOE headquarters.

Comparison of Past and Current Authority to Approve Foreign Visitors

Type of visit	DOE headquarters	DOE field office	Laboratories		
			LLNL	LANL	SNL
1988 approval authority					
High-level foreign officials	X				
Discussion of sensitive subjects	X				
Visits/assignments to secure areas					
From sensitive countries	X				
From nonsensitive countries		X			
Assignments to nonsecure areas					
From communist countries ^a	X				
From other sensitive countries		X			
From nonsensitive countries		X			
Visits to nonsecure areas					
From sensitive countries		X			
From nonsensitive countries			X	X	X
1996 approval authority					
High-level foreign officials		X ^b			
Discussion of sensitive subjects		X ^b			
Visits/assignments to secure areas					
From sensitive countries	X				
From nonsensitive countries		X			
Assignments to nonsecure areas					
From sensitive countries			X	X	X
From nonsensitive countries			X	X	X
Visits to nonsecure areas					
From sensitive countries			X	X	X
From nonsensitive countries			X	X	X

^aDOE's 1988 foreign visitor controls made a distinction between communist and other sensitive countries. DOE no longer makes such a distinction.

^bDOE headquarters must concur with DOE field office approval of these visits.

Ordering Information

The first copy of each GAO report and testimony is free. Additional copies are \$2 each. Orders should be sent to the following address, accompanied by a check or money order made out to the Superintendent of Documents, when necessary. VISA and MasterCard credit cards are accepted, also. Orders for 100 or more copies to be mailed to a single address are discounted 25 percent.

Orders by mail:

U.S. General Accounting Office
P.O. Box 6015
Gaithersburg, MD 20884-6015

or visit:

Room 1100
700 4th St. NW (corner of 4th and G Sts. NW)
U.S. General Accounting Office
Washington, DC

Orders may also be placed by calling (202) 512-6000
or by using fax number (301) 258-4066, or TDD (301) 413-0006.

Each day, GAO issues a list of newly available reports and testimony. To receive facsimile copies of the daily list or any list from the past 30 days, please call (202) 512-6000 using a touchtone phone. A recorded menu will provide information on how to obtain these lists.

For information on how to access GAO reports on the INTERNET, send an e-mail message with "info" in the body to:

info@www.gao.gov

or visit GAO's World Wide Web Home Page at:

<http://www.gao.gov>

**United States
General Accounting Office
Washington, D.C. 20548-0001**

**Bulk Rate
Postage & Fees Paid
GAO
Permit No. G100**

**Official Business
Penalty for Private Use \$300**

Address Correction Requested
