



OFFICE OF
**NONPROLIFERATION AND
ARMS CONTROL (NPAC)**

High Risk Property & Samples

-  **SAFEGUARD** NUCLEAR MATERIALS TO PREVENT THEIR DIVERSION OR THEFT
-  **CONTROL** THE SPREAD OF WMD-RELATED MATERIAL, EQUIPMENT AND TECHNOLOGY
-  **NEGOTIATE, MONITOR AND VERIFY** COMPLIANCE WITH INTERNATIONAL NONPROLIFERATION AND ARMS CONTROL TREATIES AND AGREEMENTS
-  **DEVELOP** PROGRAMS AND STRATEGIES TO ADDRESS EMERGING NONPROLIFERATION AND ARMS CONTROL THREATS AND CHALLENGES



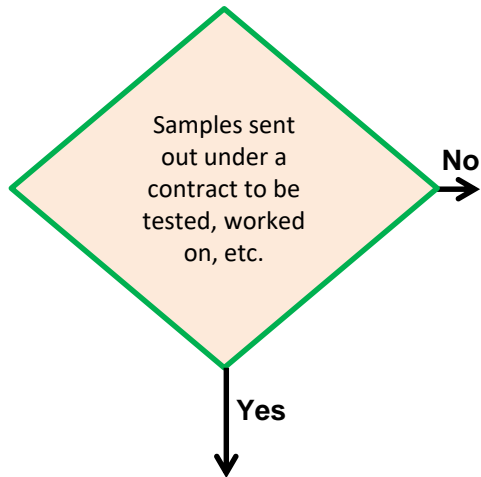
OPMO Guidance

Samples should be treated as GFP

- Samples, or any other property, should be treated as Government Furnished Property (GFP)
 - Requires an official agreement authorizing its use, scope of work, and expectations for the property
 - At the conclusion of the agreement, the GFP or Subcontractor Acquired Property would be reconciled to be officially donated, transferred, returned, etc. depending on vendor and type of property
 - If the HRP review has determined the sample to be Trigger List, an approved Exception from Destruction from NA-20 is required to donate or transfer
 - Written concurrence was obtained from the Nuclear Regulatory Commission (NRC) confirming that samples of EDP (Trigger List) materials and components fall within the jurisdiction of the NRC's 10 CFR 110, regardless of size, quantity, or "usable" condition. This jurisdiction would invoke the requirements of 41 CFR 109 and the need for an approved Exception from Destruction letter

Samples: Property & HRP Requirements

Scenario 1



Property Requirements

Subcontractor-held, follow property process

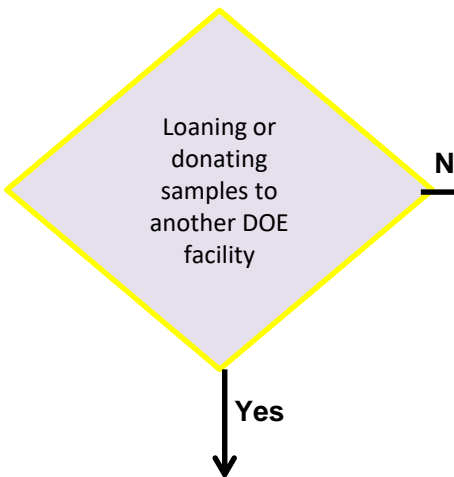
HRP Concerns

No HRP review required, provided all samples are returned or destroyed in process, regardless of condition. This should be spelled out in the contract

Export Control Concerns

Any foreign national access or other EC issues should be addressed in the contract T&Cs.

Scenario 2



Property Requirements

Property is notified and begins an SF-122 for transfer, loan agreement of loans, and request the HRP review.

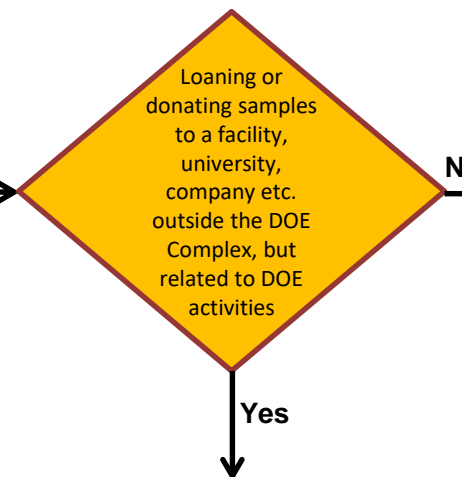
HRP Concerns

HRP review required. Trigger List loans and transfers allowable without HQ concurrence. Recipient notified of any proliferation concerns.

Export Control Concerns

Any foreign national access or other EC issues should be addressed between both parties' EC Internal Compliance.

Scenario 3



Property Requirements

A formal agreement must be in place before this transaction can occur. Property notified, the agreement verified, the SF122 or loan agreement is begun, the HRP review is requested.

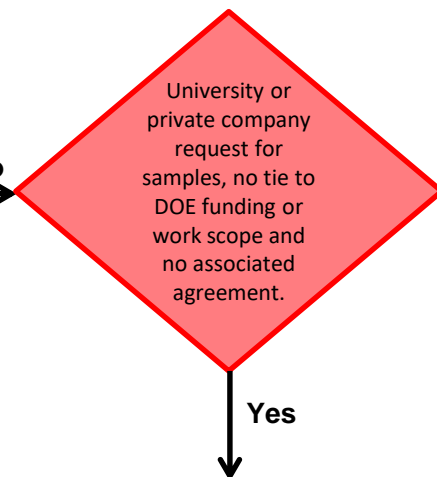
HRP Concerns

HRP review required. Any Trigger List samples require approval from NA-20*. Other samples would not require HQ concurrence. Recipient must be notified of any proliferation concerns. Loans must include expected return date.

Export Control Concerns

EC internal compliance would be notified to address any export control, foreign national access or technology transfer issues.

Scenario 4



Property Requirements

Not permissible under Federal DOE Property Regulations*

HRP Concerns

No Action

Export Control Concerns

No Action

*Per 41 CFR 109, and NA-242 concurrence with this process

**DOE-SC and the NNSA Organizational Property Management Officers (OPMOs) have reiterated that samples are considered Government Furnished Property