

**SPECIAL PROVISIONS - CLASSIFICATION/SECURITY/FOREIGN CONTROL
SP-10 REV. 0 1/25/2021**

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1.0 PREAMBLE

These Special Provisions are requirements of any contract in which this Special Provision document is incorporated. These Special Provisions are applicable in their entirety unless specifically deleted or amended in the Contract and are in addition to the General Provisions and other Special Provisions that apply to this Contract. In the event of a conflict between these Special Provisions and the General Provisions, these Special Provisions shall take precedence.

Contractor shall flowdown to its subcontractors at all tiers the applicable portions of these provisions.

2.0 FOREIGN OWNERSHIP, CONTROL OR INFLUENCE (FOCI)

All offerors shall respond to the [Foreign Ownership, Control or Influence \(FOCI\) Certification](#). Return the completed FOCI certification to the Buyer.

One or more offerors may be requested by the Buyer to complete the Department of Energy online FOCI application process. Contract award may be delayed until a satisfactory FOCI determination is received from the Department of Energy.

3.0 CLASSIFIED MATTER

3.1 PROTECTING AND CONTROLLING CLASSIFIED MATTER

Classified matter in use shall be constantly attended by, under the control of a person possessing the proper access authorization and a need-to-know, or as stipulated by local DOE policy. The level of protection against loss or compromise afforded to classified matter, regardless of form, shall be commensurate with the level of its classification. Losses, potential compromises, and unauthorized disclosures of classified matter shall be treated as classified information and immediately reported to the Buyer’s Security Representative. All activities associated with classified matter shall comply with applicable laws, directives, and local policies:

- A. Classification levels shall be used in determining the degree of protection and control required for classified matter.
- B. Access to classified matter shall be limited to persons who possess appropriate access authorization and who require such access (need-to-know) in the performance of official duties. Controls shall be established to detect and deter unauthorized access to classified matter.
- C. Custodians and authorized users of classified matter are responsible for the protection and control of such matter.
- D. Buildings and rooms containing classified matter shall be afforded security measures approved by the Buyer Security Representative.

- E. Security containers required for the storage of classified matter shall be approved by the Buyer Security Representative. Classified matter that is not under the personal control of an authorized person shall be stored in GSA approved security containers equipped with X-07 or X-08 Mas Hamilton combination locks.
- F. Only authorized Hanford Site locksmiths are permitted to work on security containers used for the protection of classified matter.

3.2 USE OF INFORMATION SYSTEMS TO PROCESS CLASSIFIED MATTER

The Contractor shall ensure that information systems, i.e., personal computers, microcomputers, networks, data applications, etc., used to collect, create, communicate, compute, disseminate, process, store, and/or control classified information comply with applicable laws, directives, and local policies. The Contractor shall not use information systems to process classified matter without receiving the appropriate written authorization from the Buyer.

4.0 CLAUSES INCORPORATED BY REFERENCE

The following Department of Energy Acquisition Regulation (DEAR) clauses are hereby incorporated by reference to this Contract. When included herein, text of the clause is provided for convenience only. Unless a revision is indicated, the full text of the clause as written in the regulation is invoked.

FAR/DEAR REFERENCE	CLAUSE TITLE
DEAR 952.204-2	Security (Aug 2016)
DEAR 952.204-70	Classification/Declassification (Sep 1997)
DEAR 970.5204-1	Counterintelligence (Dec 2010)

