

**AUDIT
REPORT**

**FOREIGN NATIONAL VISITORS
AT NASA CENTERS**

May 12, 2000



National Aeronautics and
Space Administration

OFFICE OF INSPECTOR GENERAL

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Acronyms

CNSI	Classified National Security Information
FBI	Federal Bureau of Investigation
NAC	National Agency Check
NCRS	Name Check Request System
NPD	NASA Policy Directive
NPG	NASA Procedures and Guidelines
OIG	Office of Inspector General

W

May 12, 2000

TO: A/Administrator

FROM: W/Inspector General

SUBJECT: INFORMATION: Foreign National Visitors at NASA Centers
Report Number IG-00-034

The NASA Office of Inspector General has completed an audit of Foreign National Visitors at NASA Centers. We found that controls are in place over access to information by foreign national visitors. However, controls over access to NASA Centers by foreign national visitors need to be strengthened and uniformly applied on an Agency-wide basis. Controls over access by foreign national visitors varied among Ames, Goddard, Johnson, and Langley. Disparities among the four Centers related to (1) which foreign nationals were controlled, (2) the types of Government records checks made, (3) how visitors were escorted once on-site, and (4) how foreign national visitors were badged. The Agency also lacks a foreign national visitor management information system. Improvements are needed to ensure that NASA Centers and information are adequately protected against unauthorized access by foreign national visitors.

Background

NASA has a responsibility under the National Aeronautics and Space Act of 1958 to cooperate with other nations in the conduct of its activities. NASA also has responsibility for protecting national security interests, preserving the United States as a leader in aeronautics, space science, and technology, and helping to ensure the economic health of the nation. NASA hosts foreign national visitors for numerous reasons including attendance at meetings or conferences, intermittent or regular work on a program related to an international agreement, the conduct of scientific research under a cooperative educational program, or employment for a support contractor. As of April 1999, NASA had approximately 1,383 foreign national visitors at 11 Centers.

The NASA Office of Management Systems is responsible for NASA-wide security. The NASA Office of External Relations is responsible for Agency international relations, including approval policies for foreign national visits.

Recommendations, Management's Response, and Evaluation of Response

We recommended that the Associate Administrator for External Relations revise the definition of a foreign national in NASA policy guidance to ensure controls are in effect at NASA Centers for visitors that are not U.S. citizens. In addition, the Associate Administrator for Management Systems should revise existing policy to establish NASA-wide requirements and procedures for obtaining National Agency Checks¹ and for escorting foreign visitors. Further, the Associate Administrator for Management Systems should establish a NASA-wide policy for badging foreign nationals. We also recommended that the Associate Administrator for External Relations and the Associate Administrator for Management Systems should jointly develop and implement a NASA-wide management information system to support the foreign national visitor program.

Management concurred with each recommendation and planned responsive corrective actions. Management has agreed to revise applicable Agency policies to (1) revise the definition of a foreign national, (2) clearly define National Agency Check requirements and procedures, (3) define procedures for escorting foreign national visitors, and (4) provide a standard badging scheme. Management is also working to obtain funding for an Agency-wide management information system to support the foreign visits program. Details on the status of the recommendations are in the recommendations section of the report.

[Original signed by]

Roberta L. Gross

Enclosure

Final Report on Audit of Foreign National Visitors at NASA Centers

¹ A National Agency Check consists of a records check with the Federal Bureau of Investigation (FBI), Department of State, Immigration and Naturalization Service, and Central Intelligence Agency to determine whether an agency's records contain any information on a specified individual's involvement in criminal or intelligence gathering activities.

**FINAL REPORT
AUDIT OF FOREIGN NATIONAL VISITORS
AT NASA CENTERS**

W

May 12, 2000

TO: I/Associate Administrator for External Relations
J/Associate Administrator for Management Systems

FROM: W/Assistant Inspector General for Auditing

SUBJECT: Final Report on the Audit of Foreign National Visitors at NASA Centers
Assignment Number A9903601
Report Number IG-00-034

The subject final report is provided for your information and use. Our evaluation of your response is incorporated into the body of the report. The corrective actions planned for the recommendations are responsive. The recommendations will remain open for reporting purposes until agreed to corrective actions are completed. Please notify us when action has been completed on the recommendations, including the extent of testing performed to ensure corrective actions are effective.

If you have questions concerning this report, please contact Mr. Kevin J. Carson, Program Director, Safety and Technology Audits, at (301) 286-0498, or Mr. William A. Garay, Auditor-in-Charge, at (301) 286-9076. We appreciate the courtesies extended to the audit staff. The final report distribution is in Appendix D.

[Original signed by]

Russell A. Rau

Enclosure

cc:

B/Chief Financial Officer

B/Comptroller

BF/Director, Financial Management Division

G/General Counsel

JM/Director, Management Assessment Division

JS/Director, Security Management Office

M/Associate Administrator for Space Flight

R/Associate Administrator for Aero-Space Technology

Y/Associate Administrator for Earth Science

ARC/D/Director, Ames Research Center

GSFC/100/Director, Goddard Space Flight Center

JSC/AA/Director, Lyndon B. Johnson Space Center

LaRC/A/Director, Langley Research Center

bcc:

IM/Audit Liaison Representative

JS/Audit Liaison Representative

W/K. Carson

W. Garay

D. Choma

NASA Office of Inspector General

IG-00-034
A9903601

May 12, 2000

Foreign National Visitors at NASA Centers

Introduction

The NASA Office of Inspector General (OIG) has completed an audit of foreign national visitors at NASA Centers. The audit was conducted as part of the overall audit of Management and Administration of International Agreements at NASA.² The audit objectives discussed in this report were to determine whether the Centers we visited:

- obtained appropriate approvals for foreign personnel with access to NASA Centers, and
- established controls over release of information.

At the four Centers we visited,³ we identified an opportunity for NASA to strengthen its controls over the access of foreign national visitors working at Agency Centers in support of the aeronautical and space activities of the United States. Appendix A contains further details on the audit objectives, scope, and methodology.

Results in Brief

NASA has established export policies and procedures for approving the release of information to foreign nationals. These controls were in place at Ames Research Center (Ames); Goddard Space Flight Center (Goddard); Johnson Space Center (Johnson); and Langley Research Center (Langley); and included approvals or reviews by Center Export and Security Officials and the Office of External Relations.

Controls over access to NASA Centers by foreign national visitors need to be strengthened and uniformly applied on an Agency-wide basis. Controls over access by foreign national visitors varied among Ames, Goddard, Johnson, and Langley. Disparities among the four Centers related to (1) which foreign nationals were controlled, (2) the types of Government records checks made, (3) how visitors were escorted once on-site, and (4) how foreign national visitors were badged. The Agency also lacks a foreign national visitor management information system. Improvements are needed to

² Results are in Audit Report IG-00-004, "Management and Administration of International Agreements at NASA," January 14, 2000 (see Appendix B for details).

³ The Centers visited during the audit were Ames Research Center; Goddard Space Flight Center; Johnson Space Center; and Langley Research Center.

ensure that NASA Centers and information are adequately protected against unauthorized access by foreign national visitors.

Background

The National Aeronautics and Space Act of 1958 (Space Act), as amended, includes an objective that NASA conduct its activities to contribute to the preservation of the United States as a leader in aeronautics, space science, and technology. The Space Act also states that NASA shall conduct its activities with an objective of cooperating with other nations. This cooperation has involved hosting foreign national visitors at its installations. The Space Act provides for the NASA Administrator to establish the necessary security requirements, restrictions, and safeguards for hosting foreign national visitors to protect the national security interests of the United States.

The Defense Security Service⁴ reported in its 1998 publication, "Technology Collection Trends in the U.S. Defense Industry," that 37 countries were associated with seeking U.S. technologies in 1997. The report states that the second most frequently used technique for collecting technological information was visits to U.S. facilities by foreign nationals and that inappropriate conduct during visits was the second most frequently reported method of operation. The report includes indicators of suspicious activities by foreign nationals including unescorted visitors wandering around facilities.

The Agency's responsibility to protect national security interests is broader than the traditional notion that national security includes only classified information. NASA is the steward of other valuable information that although unclassified is critical and valuable to the national security. The economic health of the nation is vital to our security as recognized by the President and the Congress with the passing of the Economic Espionage Act of 1996.⁵ NASA must take prudent measures to protect not only national security classified information, but also unclassified sensitive, critical, and valuable data that should not be released to unauthorized persons, organizations, or governments.

NASA policies and procedures provide for the approval of foreign national visitors to Centers for numerous reasons including attendance at meetings or conferences, intermittent or regular work on a program related to a NASA international agreement, the conduct of scientific research under a cooperative educational program, or employment for a support contractor. Visits may be short-term (1 to 30 calendar days), or long-term (more than 30 days). The host Center's International Visits Coordinator, under the authority of the Center Director, approves the visits. Visits by foreign nationals or representatives from countries identified on NASA's

⁴ The Defense Security Service provides security services to the Department of Defense and is under the direction, authority, and control of the Assistant Secretary of Defense for Command, Control, Communications and Intelligence.

⁵ The Economic Espionage Act of 1996 provides for the protection of proprietary economic information. The Act contains provisions for economic espionage and the theft of trade secrets as well as criminal and civil penalties for its violation.

List of Designated Areas⁶ require approval by the NASA Office of External Relations. As of April 1999,⁷ NASA had approximately 1,383⁸ foreign national visitors at 11 Center locations.

The Associate Administrator for External Relations is responsible for developing and implementing international policies and for directing the Agency's international relations. The Associate Administrator for Management Systems is responsible for providing executive and functional leadership, oversight, guidance, coordination, and advocacy for various management systems, processes, functions, and activities including Agency-wide security.

Controls Over Foreign National Visitors

Finding. Existing controls over access to NASA Centers by foreign national visitors require strengthening. Specifically, (1) NASA policies contain conflicting definitions of what constitutes a foreign national, (2) procedures for visitor records checks were inconsistent, (3) requirements for escorting foreign national visitors were not specific and varied widely among the Centers visited, (4) foreign national badging procedures varied by Center visited, and (5) an Agency-wide management information system with data on foreign nationals does not exist. Controls are deficient because Agency policy governing the access of foreign national visitors to NASA Centers is insufficiently detailed and not uniformly applied. Consequently, the Agency has assumed a greater risk than necessary that foreign national visitors or foreign representatives working at NASA Centers could compromise NASA information.

NASA Requirements Governing Foreign National Visitors

Several NASA-wide policies address foreign national visitors and security and apply to foreign national visitors to NASA Centers. They do not apply to foreign nationals working at NASA contractors who do not access NASA Centers. NASA Policy Directive (NPD) 1371.5, "Coordination and Authorization of Access by Foreign Nationals and Foreign Representatives to NASA," April 19, 1999, provides NASA policy for facilitating, authorizing, and controlling all types of foreign visits and other access by foreign nationals and foreign representatives.⁹ The policy states that the Agency will process all types of foreign visit requests in a timely manner to enable NASA to

⁶ NASA Procedures and Guidelines (NPG) 1371.2, "Procedures and Guidelines for Processing Requests for Access to NASA by Foreign Nationals or Representatives," April 19, 1999, defines designated areas as those for which (1) the United States has no diplomatic relations, (2) the State Department has determined support terrorism, (3) are under sanction or embargo by the United States, or (4) are a country of missile technology concern.

⁷ More current data on foreign national visitors was not readily obtainable. See the "Finding" section of this report under the subsection entitled "Management Information System" for more information.

⁸ The number includes foreign nationals from both nondesignated and designated areas. This number does not include an additional 480 permanent resident aliens.

⁹ NASA Policy Directive (NPD) 1371.5, "Coordination and Authorization of Access by Foreign Nationals and Foreign Representatives to NASA," April 19, 1999, states that requests for access by or on behalf of foreign national members of the public information media to a NASA Center must be forwarded to the Center's Public Affairs Office for coordination, as appropriate, with NASA Headquarters in accordance with 14 Code of Federal Regulations, Part 1213.

fulfill its responsibilities for facilitating visits that support U.S. national interests and/or NASA's international program interests and operational requirements. At the same time, the Agency will screen all foreign visit requests to determine whether they conform with Agency and national policies, including U.S. national security and export control regulations. Consistent with Agency standard procedures and guidelines, NASA Headquarters and each NASA Center is responsible for directly receiving, coordinating, and deciding requests for visits by foreign nationals to its Centers, except for requests by personnel in certain official foreign government positions and by representatives of countries identified in the List of Designated Areas. The Agency should forward all such requests promptly to the Office of External Relations, NASA Headquarters. NASA Procedures and Guidelines (NPG) 1371.2, "Procedures and Guidelines for Processing Requests for Access to NASA by Foreign Nationals or Representatives," April 19, 1999, provides guidance on the implementation of NPD 1371.5.

NPD 1600.2A, "NASA Security Policy," April 20, 1998, states that the Associate Administrator for Management Systems is responsible for the overall management of the NASA Security Program. NPG 1620.1, "Security Procedures and Guidelines," November 18, 1999, provides guidelines and procedures to assist NASA Centers in complying with the minimum standards, requirements, and specifications for the protection of personnel, sensitive and unclassified/classified information, material, facilities, and resources in the possession of NASA, as well as the basic information regarding the assignment of management responsibilities. The NPG also assists NASA Center management in establishing local procedures to meet these standards and requirements. NPG 1620.1 does not address controls over foreign nationals with the exception of requirements related to obtaining approval authority for access to classified information. NPG 1620.1 instead references NPG 1371.2 by stating "foreign nationals are covered by other instructions or directives requiring equivalent screening requirements."

Foreign National Definitions

The two NASA offices assigned responsibility for foreign activities use conflicting definitions of a foreign national. The Office of Management Systems and the Office of External Relations are responsible for assessing and addressing the risks posed by foreign nationals granted access to NASA Centers. Within the Office of Management Systems, the Security Management Office is responsible for establishing Agency-wide security policy and procedures, including procedures for controlling foreign nationals with approved access. The Office of External Relations is responsible for establishing foreign relations policies and procedures, including procedures for approving foreign nationals' access.

NPG 1620.1 provides the Director, NASA Security Management Office, with the approval authority for foreign nationals to have access to U.S. classified national security information (CNSI)¹⁰ or to attend CNSI meetings or functions that are classified or unclassified sessions.

¹⁰ Executive Order 12958, "Classified National Security Information," April 17, 1995, defines CNSI as information that has been determined to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

NPG 1620.1 defines a foreign national as “any person who is not a citizen of the United States.” The NPG does not address the subject of foreign national access to NASA Centers and instead references NPG 1371.2.

NPG 1371.2 defines a foreign national as “any person who is not a citizen or permanent resident alien¹¹ of the United States.” NPG 1371.2 establishes approval controls over foreign nationals including when and where they will be allowed access to NASA Centers. The NPG 1371.2 exemption of permanent resident aliens, who are not U.S. citizens, directly conflicts with the NASA Security Management Office definition provided in NPG 1620.1. Additionally, local guidance at Ames that implements NPG 1371.2 further exempts refugees by defining a foreign national as “any person who is not a citizen of the United States, not including permanent resident aliens, or persons admitted with refugee status to the United States.” Excluding permanent resident aliens and refugees results in a portion of the foreign national population at NASA Centers that is not subjected to access approval controls.

The definition the Office of External Relations uses in NPG 1371.2 does not consider that permanent resident aliens or refugees are not U.S. citizens, may never become citizens, and at any time may return to their countries of origin. Security personnel at two of the four NASA Centers we visited expressed concern about the lack of controls over permanent resident aliens. The inconsistent definitions used in the Agency’s policy documents could lead to confusion over which foreign national visitors are to be controlled, potentially resulting in increased security risks. In comparison to the Agency’s conflicting definitions, the Department of Energy (Department of Energy Notice 142.1, “Unclassified Foreign Visits and Assignments”) defines a foreign national as “any person who is not a U.S. citizen, including permanent resident aliens.” NASA’s definition of a foreign national in NPG 1371.2 should be revised to ensure consistency with the definition provided in NPG 1620.1.

National Agency Checks

Procedures at each of the four Centers we reviewed also varied with regard to performing National Agency Checks (NAC’s) on foreign national visitors. A NAC consists of a records check with the Federal Bureau of Investigation (FBI), Department of State, Immigration and Naturalization Service, Central Intelligence Agency, and the Defense Security Service to determine whether an agency’s records contain any information on a specified individual’s involvement in criminal or intelligence gathering activities. Completion of a NAC typically takes from 30 to 60 days. A favorable NAC does not mean that the foreign national is not a criminal or intelligence operative, but only that the agencies checked do not have a record of any such activities. Current NASA guidance in NPG 1371.2 requires a NAC only if the visitor will be placed on an accreditation list.¹² Although NAC’s are not required for all foreign national visitors, NAC’s represent an appropriate risk management measure to assist management as part of the approval process for foreign national visitors. As such,

¹¹ A permanent resident alien is a foreign national lawfully admitted to the United States for permanent residence.

¹² Accreditation refers to the establishment by a NASA Center of a list of foreign nationals, regardless of nationality, who are approved for repeat visits to that Center for the purpose of implementing an “agreed to” NASA international cooperative or reimbursable program or project.

their use should be uniformly applied across the Agency. Each of the four Centers had different procedures concerning the request for a NAC, when it would be done, and when it would be updated. The differences are illustrated below.

- Ames obtained NAC's for visitors staying 90 days or longer or if specifically requested by the sponsor for shorter visits. (A favorable NAC at Ames negates the need for an escort for the visitor while on the Ames facility.) Goddard obtained NAC's for all visits in excess of 30 days. Johnson obtained NAC's for all visits in excess of 90 days and for all visitors from "Designated Areas," regardless of the length of the visit. Langley obtained NAC's for all foreign national visitors, regardless of the duration of their visits.
- Ames, Johnson, and Langley initiate NAC's once the official request is received from the NASA sponsor for a visit by a foreign national. Goddard, however, initiates a NAC only after a foreign national's visit is approved and the individual arrives at the Center.
- Ames updates the NAC for an individual foreign national visitor every 10 years. Goddard performs updates every 3 years, and Johnson and Langley update every 5 years.

Deliberative process information omitted.

The differences in record checks procedures at the Centers result from a lack of an Agency-wide requirement and from incomplete and inaccurate guidance. The NPG states:

A satisfactory National Agency Check (NAC) must be completed for all individuals on an accreditation list. The International Visits Coordinator will arrange for entry of the data into the Name Check Request System (NCRS) database.¹³ **Data entry into the NCRS will trigger National Agency Checks (NAC's) by appropriate U.S. investigation agencies.** [Emphasis added.]

First, NPG 1371.2 does not require a NAC unless a Center wants to accredit a foreign national. Second, the statement that data entry into the NCRS will trigger NAC's "by appropriate U.S. investigation agencies" is not accurate. Specifically, data entry to the NCRS initiates an FBI records check only and does not initiate records checks with the four other Federal agencies.¹⁴ However, the Centers are unaware that only an FBI records check will be initiated. For example, we found that Johnson did not perform complete NAC's (records checks with the FBI and the four other Federal agencies) for foreign national visitors. Data on foreign nationals at Johnson was entered into the NCRS, which initiates only an FBI database query. Johnson did not send requests to the other four Federal agencies to determine whether their records contained any information on the specified

¹³ **Deliberative process information omitted.**

¹⁴ The agencies are the Department of State, Immigration and Naturalization Service, Central Intelligence Agency, and the Defense Security Service.

individual. As a result, the NAC's Johnson performed were not complete. NPG 1371.2 should be revised to reflect that records checks with the other four Federal agencies must be submitted separately to each of the agencies.

The guidance on NAC's also does not explicitly address which foreign national visitors require a NAC, when it will be performed, and when it will be updated. ****Deliberative process information omitted.****

Escorting Requirements

The approval for a foreign national's access to NASA Centers provides a specified time during which access is allowed and generally identifies whether the visitor is required to be escorted. Although mentioned as part of the access approval, no NASA-wide policy or procedure specifies which foreign nationals are to be escorted, what escorting entails, and the responsibilities of the designated escort. Consequently, each Center has independently established separate escorting policies and procedures, which has subsequently resulted in different escort requirements at each of the four Centers visited. As a result, the escort process for foreign national visitors differed, depending on the particular Center, and at times, foreign national visitors were not escorted. Examples of the varied processes follow.

- **Escorting Qualifications.** The sponsor of a foreign national visitor is typically the NASA civil servant employee who requests approval for the visit of the foreign national. The sponsor also ensures that the visit is in NASA's best interests and is consistent with Agency and national policies. None of the four Centers required the foreign nationals' sponsor to be the escort. However, Goddard and Langley required that the designated escort be a U.S. citizen. Ames and Johnson allowed foreign national visitors to be escorted by foreign nationals who were permanent resident aliens.
- **Escorting Requirements.** At Goddard and Johnson, local policies required an escort to accompany the foreign national visitor "at all times." At Ames and Langley, an escort was required to accompany the visitors only to the entrance of the building where their assigned workplace was located. The visitors were unescorted while inside the building.
- **Escorting Observations.** Although Goddard and Johnson required escorts to accompany the visitor at all times, we observed that several foreign nationals were not escorted. On one occasion, we identified a foreign national from Yugoslavia and another from Taiwan who were to be escorted at all times while at Goddard. Their escort met them at the Center's main entrance, and they proceeded to the Goddard East Campus security gate in three separate vehicles. Once admitted through security to the East Campus, the escort and the two foreign nationals each drove to separate buildings in their personal vehicles. We then observed each of the foreign nationals proceed into the building unescorted. We also determined that the Yugoslavian foreign

national's access approval had expired more than a month before this visit to Goddard. On another occasion at Goddard, we observed a foreign national contractor employee from China being escorted onto the Center by an employee with the same contractor, without the knowledge of either the NASA sponsor or the approved NASA escort.

At Johnson, we identified five foreign nationals (Canadian, Colombian, Indonesian, Russian, and South Korean) whose approvals for access stated that they were to be escorted. However, none of the five possessed "escort required" badges and, in fact, were not being escorted. The NASA sponsors stated they were not aware that these visitors required escorting. We observed a sixth foreign national from Russia being escorted, but the foreign national possessed a temporary vehicle pass that allowed unescorted access to the Center. When asked about the vehicle pass, the individual stated that although she drove unescorted on the Center campus, she waited to be escorted inside the building.

- **Other Escort Disparities.** Upon receipt of a favorable NAC, Ames, Johnson, and Langley all discontinued the escort of foreign nationals from countries on NASA's List of Designated Areas. Goddard, however, requires that foreign nationals from the listed countries continue to be escorted even upon receipt of a favorable NAC. Ames, Johnson, and Langley did not require escorting of long-term visitors once a NAC was completed.

At Goddard, foreign nationals who arrived before their country was added to NASA's current List of Designated Areas were not escorted, while arrivals from the same country were escorted after the country was added to the list.

Goddard required escorting of foreign nationals from Russia and the former Republics of the Soviet Union. Ames, Johnson, and Langley did not require escorting of visitors from these countries.

Without NASA-wide guidance on escorting, Centers are implementing various controls for the same risks. The controls may not adequately manage NASA's risks or may subject individuals from certain countries to unwarranted additional controls. During the audit, a foreign national visitor at Goddard questioned why he was escorted, when another visitor from the same country also at Goddard was not escorted. A similar situation occurred at Langley when one foreign national also questioned why he was escorted when his fellow countrymen at other NASA Centers were not. The Office of Management Systems needs to adopt NASA-wide requirements and guidelines for escorting to ensure that the activities of foreign national visitors are appropriately and uniformly monitored while visiting or working at NASA Centers.

Badging Procedures

Foreign nationals are not uniformly badged at each of the four Centers visited. NPD 1620.2, "NASA Badging System," February 9, 1998, states that a uniform badging system will be used throughout NASA to ensure that physical access to NASA's Centers is granted only to authorized

personnel. Although the NPD does not specifically address badging for foreign national visitors, it does grant Center Directors authority for “issuance of NASA badges to other individuals when such issuance is deemed to be in the best interest of the Agency.”

There was no uniformity among Ames, Goddard, Johnson, and Langley as to who received badges, the type of badge received,¹⁵ or the unique identifiers on the badge.¹⁶ For example, Langley issued picture badges to all foreign national visitors regardless of the length of stay. In contrast, Ames, Goddard, and Johnson issued picture badges for long-term visitors (more than 90 days) and non-picture badges for short-term visitors.

We identified other differences such as the Langley picture badge clearly identified on the front of the badge that an individual was a foreign national visitor or contractor, did or did not require escorting, and the building access allowed. At Ames, picture badges for foreign nationals were different colors, depending on whether the visitor was from a designated or non-designated area. Ames also included building access information on the back of the badge. Johnson’s picture badges were all the same color and identified building access on the front of the badge. Johnson did not differentiate whether a visitor or employee was from a designated or non-designated country. Goddard’s picture badges did not include building access information.

Without uniformity in badging, recognition of foreign nationals and compliance with the assorted access restrictions that apply are more difficult for NASA personnel. In addition, the use of non-picture badges makes the potential for alteration of the badge easier, thus increasing the opportunity for foreign nationals to gain access to areas or information for which they are not authorized. The current NASA policy for badging should be revised to provide for uniform, Agency-wide requirements in badging foreign nationals.

Management Information System

NASA does not have an Agency-wide management information system to support its foreign national visitor program. NPD 2800.1, “Managing Information Technology,” March 23, 1998, states that NASA policy is to use information technology to accomplish its missions and programs efficiently, effectively, and securely. Each NASA Center and the NASA Headquarters Office of External Relations separately maintain systems containing information on foreign national visitors. The Office of External Relations’ system includes only Agency-wide information on foreign nationals from countries on NASA’s List of Designated Areas, while each Center maintains information on all foreign nationals at the Center. Although providing a useful tool at a particular Center, the systems are independent of one another, lack interconnectivity, operate in different computer media, and contain different types of data structured in incompatible formats.

¹⁵ The badge may contain a picture and may be permanent or temporary.

¹⁶ Unique identifier refers to whether the badge identifies that the visitor is a foreign national or contractor, whether escorting is required, and what buildings can be accessed.

These differences exist because neither the NASA Office of Management Systems nor the Office of External Relations has established a NASA-wide foreign national visitor's management information system or a requirement for the system. Consequently, each Center designed a system to meet its individual administrative needs, while the Office of External Relations established a system that captures only information submitted by the Centers on foreign nationals from countries on NASA's List of Designated Areas.

The lack of the systems compatibility results in NASA Headquarters management not having Agency-wide visibility over the volume, location, origin, or activities of foreign national visitors. This lack of visibility was clearly evident in March 1999, when the Associate Administrator for External Relations requested Agency-wide information on foreign national visitors. The information took about 2 months to obtain from each Center because a centralized system did not exist.

The lack of an Agency-wide system may also be increasing NASA's costs and reducing the effectiveness and efficiency of the foreign national visitor program. For example, as discussed earlier, individual Centers are obtaining NAC's on visitors. Because an Agency-wide management information systems does not exist, a Center processing a visit request may not be aware that a particular foreign national has recently been to another Center that has already completed a NAC. Without central availability of this information, a Center may request another NAC that would result not only in incurring additional costs, but also in a potential delay in visitor access approval. In addition, the Center processing the current visit request may not have the benefit of information the previously visited Center may have about the foreign national. Such information may be important when making the decision to approve the visit and determining the type of access to provide.

In early 1999, the Office of Management Systems and the Office of External Relations jointly began a study on a potential Agency-wide management information system that would support both NASA security and visit approval information requirements. The system has been defined to a point that is acceptable to both offices. However, the Agency has not approved funding. The Agency should continue to pursue implementation of a NASA-wide system.

Potential Risks from Foreign National Visitor Program

While the Space Act requires that NASA conduct its activities with an objective of cooperating with other nations, including hosting foreign national visitors at NASA installations, such activities must be carried out in a manner that will protect national security. Because the existing controls over foreign national visitors' access to NASA Centers are either inadequate or not uniformly applied, the Agency has assumed a greater risk than necessary of releasing sensitive NASA information to foreign national visitors or foreign representatives working at NASA installations.

Deliberative process information omitted.

The Agency should take appropriate actions to strengthen controls over foreign national visitor access to NASA Centers. The controls should be sufficiently detailed, applied on a NASA-wide

basis, and provide assurance that foreign nationals are uniformly monitored throughout the Agency. Strengthened controls will further ensure that management and oversight of foreign national visitors is conducted in accordance with the Space Act and applicable NASA policies and procedures and that technology and information are adequately protected.

Recommendations, Management's Response, and Evaluation of Response

1. The Associate Administrator for External Relations should revise the definition of a foreign national in NPG 1371.2 to be consistent with the definition in NPG 1620.1 to ensure controls are in effect at NASA Centers for visitors that are not U.S. citizens.

Management's Response. Concur. NPG 1371.2 will be revised to define "foreign national" as anyone who is not a citizen of the United States. The complete text of management's response is in Appendix C.

Evaluation of Management's Response. Management's planned actions are responsive to the recommendation. The recommendation is resolved, but will remain undispositioned and open for reporting purposes until corrective actions are completed.

The Associate Administrator for Management Systems should:

2. Revise NPG 1620.1 to specify:

- **A NASA-wide requirement and procedures for obtaining a National Agency Check and indices check to identify which foreign national visitors require both types of checks, when to submit them, and when to update them.**
- **That data entry to the Name Check Request System initiates a records check with the FBI only and that separate records checks must also be made with the Department of State, Immigration and Naturalization Service, Central Intelligence Agency, and the Defense Security Service.**
- **NASA-wide procedures for escorting visitors to include identifying which foreign nationals will be escorted, who can be an escort, the responsibility of the escort, and what escorting entails.**

Management's Response. Concur. NPG 1620.1 will be revised to define NAC requirements and procedures, clarify the use of the NCRS and the elements of the NAC for foreign national visitors, and define standard Agency-wide policy and procedures for escorting visitors. Management did not see a need to obtain information from the Defense Security Service as part of a NAC and questioned the need for a secondary local FBI records check (see Appendix C).

Evaluation of Management's Response. Management's planned actions are responsive to the recommendation. Although we observed some NASA Centers obtaining Defense Security Service

information as part of the NAC process, we agree that this procedure would generally not be beneficial. ** Deliberative process information omitted.** The recommendation is resolved, but will remain undispositioned and open for reporting purposes until corrective actions are completed.

3. Revise NPD 1620.2 to specify a NASA-wide policy for badging foreign nationals.

Management's Response. Concur. NPD 1620.2 will be revised to specify a standard badge scheme to identify foreign nationals (see Appendix C).

Evaluation of Management's Response. Management's planned actions are responsive to the recommendation. However, management should consider providing all foreign nationals with picture badges regardless of the length of a visit. The recommendation is resolved, but will remain undispositioned and open for reporting purposes until corrective actions are completed.

4. The Associate Administrator for Management Systems, in conjunction with the Associate Administrator for External Relations, should develop and implement a NASA-wide management information system to support the foreign national visitor program.

Management's Response. Concur. The Associate Administrator for External Relations, in conjunction with the Associate Administrator for Management Systems, is working with the Associate Administrator for Headquarters Operations to obtain funding for this Agency-wide system, which is vital to the future modernization of the NASA foreign visitor program (see Appendix C).

Evaluation of Management's Response. Management's planned actions are responsive to the recommendation. The recommendation is resolved, but will remain undispositioned and open for reporting purposes until corrective actions are completed.

Appendix A. Objectives, Scope, and Methodology

Objectives

The overall objective of the audit was to determine whether NASA's management of international agreements was adequate. The specific objective of the first report on this audit was to determine whether international agreements were appropriately executed and monitored. Details on our findings and recommendations are in Appendix B.

Our objectives related to this report were to determine whether the Centers we visited:

- obtained appropriate approvals for foreign personnel with access to NASA Centers, and
- established controls over release of information.

Scope and Methodology

We obtained an overall understanding of how access by foreign national visitors to NASA Centers and information is administered at both NASA Headquarters and the Center levels. We reviewed policies, procedures, and appropriate records for foreign nationals who had approved access to Ames, Goddard, Johnson, and Langley in 1999. We relied on automated data and information provided by NASA to complete our audit objectives and performed no additional verification of the automated systems that produced the data. We did not review controls over access to NASA information by foreign nationals working on projects at off-site locations. During the audit, we:

- Identified and reviewed NASA's policies and procedures related to visits by foreign nationals and release of information.
- Interviewed personnel in the NASA Headquarters Office of External Relations and NASA Security Management Office.
- Interviewed the Chief Security Officer and/or appropriate staff at Ames, Goddard, Johnson, and Langley.
- Interviewed the International Visits Coordinator and/or appropriate staff at Ames, Goddard, Johnson, and Langley.
- Reviewed individual foreign national visit approval files, documents, and security plans at Ames, Goddard, Johnson, and Langley.
- Observed foreign national escort practices at Ames, Goddard, Johnson, and Langley.
- Discussed with NASA Headquarters and Center personnel escort requirements, NASA's List of Designated Areas, access to sensitive and classified information, and export control approvals.

Appendix A

- Obtained information on foreign national visit procedures at the Department of Energy.

Management Controls Reviewed

We reviewed the following management controls as part of the audit. The significant management controls related to visits to NASA Centers by foreign nationals are contained in:

- NASA Policy Directive (NPD) 1371.5, "Coordination and Authorization by Foreign Nationals and Foreign Representatives to NASA," April 19, 1999.
- NASA Procedures and Guidelines (NPG) 1371.2, "Procedures and Guidelines for Processing Requests for Access to NASA by Foreign Nationals or Representatives," April 19, 1999.
- NPD 1600.2A, "NASA Security Policy," April 20, 1999.
- Draft NPD 1600.2B, "NASA Security Policy," November 30, 1999.
- NPD 1620.2, "NASA Badging System," February 9, 1998.
- NPD 2110.1D, "Foreign Access to NASA Technology Transfer Materials," January 20, 1998.
- NASA Handbook 2410.9A, "NASA Automated Information Security Handbook," June 1, 1993.
- "NASA's Self-Assessment of International Technology Transfer and Export Control Practices," October 8, 1999.
- NASA Policy Pamphlet, "NASA Export Control Program," November 1995 (revised October 1998).

We also reviewed the appropriate management controls specific to foreign national visitor activities at Ames, Goddard, Johnson, and Langley.

Management controls were not adequate to ensure visits to NASA Centers by foreign nationals are properly controlled so that NASA information is adequately protected. Opportunities exist to strengthen controls in this area by implementation of the report recommendations. Details are in the finding section of the report.

Audit Field Work

We conducted field work from June 1999 through January 2000, at NASA Headquarters, Ames, Goddard, Johnson, and Langley. We performed the audit in accordance with generally accepted government auditing standards.

Appendix B. Summary of Prior Audit Coverage

“Management and Administration of International Agreements at NASA,” Report Number IG-00-004, January 14, 2000. The Space Act permits NASA to enter into agreements with other U.S. entities, state and local governments, institutions, and foreign governments to accomplish its mission. The NASA Office of External Relations is responsible for developing and implementing Agency international policies, including drafting, coordinating, negotiating, and maintaining records on all international agreements and for ensuring that Agency programs are conducted in accordance with Administration and Agency international policies. As of May 1999, NASA had about 3,200 nonreimbursable and 300 reimbursable international agreements. We found that controls are generally adequate to ensure international agreements are appropriately executed and monitored. However, documentation and information related to the international agreements were not complete or accurate. As a result, the Agency is relying on incomplete and inaccurate information when drafting new international agreements or responding to inquiries. In addition, the Agency has held a deposit of about \$200,000 from a foreign government corporation for more than 15 years for launches of two satellites that never occurred. The Agency may not be entitled to the funds. We recommended that NASA management establish controls to ensure the completeness and accuracy of documentation and information in the international agreements library and database, promptly review and disposition the funds in the foreign deposit account, and identify other reimbursable accounts with no recent cost activity. Management concurred with each recommendation.

Appendix C. Management's Response

National Aeronautics and
Space Administration
Headquarters
Washington, DC 20546-0001



APR 19 2000

Reply to Attn of:

JS

TO: W/Assistant Inspector General for Auditing

FROM: J/Associate Administrator for Management Systems

SUBJECT: Draft Report on the Audit of Foreign National Visitors at NASA Centers; Assignment Number A9903601, dated March 9, 2000

Thank you for the opportunity to provide comments on the subject Draft Report. We appreciated the opportunities our staffs had to collaborate on this report and believe that these constructive interactions were helpful in providing a valuable audit. NASA concurs with all 4 recommendations and discusses our response in further detail below. We have also noted some editorial changes that we believe will enhance the accuracy of the report. The Office of External Relations concurs with this response.

An important part of NASA's mission is to advance human understanding and open frontiers in aerospace. To accomplish these lofty goals we need to work and exchange information with a great number of foreign partners. At the same time we recognize our obligation to protect the national security of the United States. Our goal is to ensure that foreign visitors are provided access only to information to which they are duly authorized and entitled. This goal will be achieved by strengthening and standardizing various access controls and through the improved awareness of our workforce. The conscientiousness of the NASA sponsor is an extremely important element of NASA's control of foreign visitors. The vetting provided by the National Agency Check, the visible indication of status provided by an identification badge, and the surveillance of an escort are most effect when the NASA sponsor is actively engaged and knowledgeable of his or her responsibilities in insuring information protection.

Recommendation #1. The Associate Administrator for External Relations should revise the definition of a foreign national in NPG 1371.2 to be consistent with the definition in NPG 1620.1 to ensure controls are in effect at NASA Centers for visitors that are not U.S. citizens.

Response #1. Concur. NPG 1371.2 will be revised to define “foreign national” as anyone who is not a citizen of the United States. Both the International Traffic-in -Arms Regulations (ITAR) (22 CFR 120 – 130) and the Export Administration Regulations (EAR) (15 CFR 730 – 774) exclude permanent resident aliens, refugees and those with political asylum, within their definitions of “foreign person.” NPG 1371.2 will highlight these differences and make it clear how these two regulations effect foreign visitors to NASA. Information under the purview of the ITAR and the EAR is not restricted to U.S. citizens. However, permanent resident aliens, refugees, and those with political asylum should have access to such information only if it is necessary to fulfill their authorized responsibilities.

Recommendation #2. The Associate Administrator for Management Systems should revise NPG 1620.1 to specify:

- . A NASA-wide requirement and procedures for obtaining a National Agency Check (NAC) and indices check to identify which foreign national visitors require both types of check, when to submit them, and when to update them.

- . That data entry to the Name Check Request System (NCRS) initiates a records check with the FBI only and that separate records checks must also be made with the Department of State, Immigration and Naturalization Service, Central Intelligence Agency, and the Defense Security Service.

- . NASA-wide procedures for escorting visitors to include identifying which foreign nationals will be escorted, who can be an escort, the responsibility of the escort, and what escorting entails.

Response #2. Concur. This recommendation is in three parts. In general, NAC’s on foreign nationals are of very little utility. As the draft report points out, a “favorable” NAC does not mean that the foreign national is not a criminal or intelligence operative, “but only that the agencies checked do not have a record of any such activities.” Most NAC’s on foreign nationals return no record. It is more appropriate to call these “no record NAC’s,” rather than “favorable NAC’s.” In the past, NASA sponsors have misinterpreted a favorable NAC as if it were a positive statement of the trustworthiness of an individual, similar to a security clearance.

Two issues raised in this recommendation are confusing to NASA management and we request further information and/or clarification. The report recommends that checks of the Defense Security Service (DSS) be conducted as

an element of a NAC on foreign national visitors. DSS maintains a database known as the Defense Central Index of Investigations (DCII). This index contains only records of personnel security investigations and adjudications conducted for access to national security classified information. Why would this be a pertinent part of a NAC on a foreign national?

****Deliberative process information omitted.****

Specifically regarding part one of the recommendation, NASA will revise NPG 1620.1 to clearly define NAC requirements and procedures. Our proposed policy will be that NAC's will be conducted on all foreign nationals who will be visiting any NASA installation or combination of installations for any period greater than 60 days. The NAC will be initiated once an official request is received from the NASA sponsor. However, the visit may begin while the NAC is in progress. Visitors and sponsors will be informed that NASA reserves the right to rescind visit approval if the NAC is unfavorable, or for any other national security reason. The NAC will consist of checks of the FBI, the Central Intelligence Agency, the Department of State, and the Immigration and Naturalization Service. NAC's will be updated every three years if the visit is continuing. Perhaps more importantly, every three years the Center Security office may conduct a local records check and will interview the visitor's sponsor to insure that the visit is still necessary, that the supervisor does not have any security concerns, and to reinforce the sponsor's awareness of their responsibility.

Regarding part two of the recommendation, the NPG will clarify the use of the NCRS and the elements of the NAC for foreign national visitors.

Regarding part three of the recommendation, the NPG will be changed to define standard agencywide policy and procedures for escorting visitors. This is a fairly complicated recommendation because of the physical nature of most NASA campuses. Certain areas will always be "off-limits" to foreign nationals, other areas will always require an escort, and many areas will not require an escort. The policy will give Centers the latitude to determine which areas will require escorting. Also, after hours access for foreign national visitors will be addressed. We will recommend that each sponsor be required to draft a technology transfer control document that will define the scope of the visitor's work and allow security to make decisions about escorted versus unescorted access. Sponsors will also be required to sign a document delineating their responsibilities for protecting NASA information and hosting/escorting a foreign visitor. When escorts are required they will be U.S. citizens, either NASA or contractor

employees, whose duty will be to insure that the visitor gains access only to authorized information.

Recommendation #3. Revise NPD 1620.2 to specify a NASA-wide policy for badging foreign nationals.

Response #3. Concur. NPD 1620.2 will be revised to specify a standard badge scheme to identify foreign nationals. The badge will utilize a specific marking on the front of the badge identifying the bearer as a foreign national and will include a photograph. This shall apply to permanent resident aliens, refugees, and those to whom political asylum has been granted who will visit a NASA installation for 30 days or more. A foreign visitor of less than 30 days will be given a non-picture badge that identifies the bearer as a foreign national.

Recommendation #4. The Associate Administrator for Management Systems, in conjunction with the Associate Administrator for External Relations, should develop and implement a NASA-wide management information system to support the foreign national visitor program.

Response #4. Concur. Under the auspices of the Carnegie Mellon Software Engineering Institute, a Department of Defense, Federally Funded Research and Development Center, a NASA foreign visitor management information system was prototyped using tools from the Extranet for Security Professionals (ESP). The NASA system has since been enhanced for the Department of Energy. The Associate Administrator for External Relations, in conjunction with the Associate Administrator for Management Systems, is working with the Associate Administrator for Headquarters Operations to obtain funding for this agencywide system which we believe is vital to the future modernization of the NASA foreign visits program. We hope to have this system in place within 90 days of its procurement.

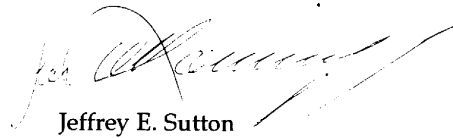
Editorial Comments: We think the following changes will improve the accuracy of the report;

. Page 6, bullet 1. A "favorable" NAC at ARC does not negate the need for an escort in all cases. Depending on the length of the visit and the areas to be visited, escort may be required even subsequent to the NAC.

. Page 6, bullet 1. Goddard obtains NAC's on foreign visitors who will visit for a period of more than 90 days.

. Page 6, bullet 3. Goddard does not update NAC's on foreign visitors every 3 years. They only conduct a NAC if a visitor hasn't visited for more than 2 years and then returns.

We do not object to this report being made publicly available. We think that this audit and its constructive criticism will add considerable value to our foreign visit and security programs. We will incorporate the changes into the appropriate NPDs and NPGs within one year. If we can be of further assistance, please contact Mark Borsi at 202-358-2457.



Jeffrey E. Sutton

Appendix D. Report Distribution

National Aeronautics and Space Administration (NASA) Headquarters

A/Administrator
AI/Associate Deputy Administrator
B/Chief Financial Officer
B/Comptroller
BF/Director, Financial Management Division
G/General Counsel
H/Associate Administrator for Procurement
I/Associate Administrator for External Relations
ID/Director, Assessments and Technology Division
IM/Director, Resources Management Office
J/Associate Administrator for Management Systems
JM/Director, Management Assessment Division
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S/Associate Administrator for Space Science
U/Associate Administrator for Life and Microgravity Sciences and Applications
Y/Associate Administrator for Earth Science
Z/Associate Administrator for Policy and Plans

NASA Centers

Director, Ames Research Center
Director, Dryden Flight Research Center
Director, John H. Glenn Research Center at Lewis Field
Director, Goddard Space Flight Center
Director, Jet Propulsion Laboratory
Director, Lyndon B. Johnson Space Center
Director, John F. Kennedy Space Center
Director, Langley Research Center
Director, George C. Marshall Space Flight Center
Director, John C. Stennis Space Center

Appendix D

Non-NASA Federal Organizations and Individuals

Assistant to the President for Science and Technology Policy
Deputy Associate Director, Energy and Science Division, Office of Management and Budget
Branch Chief, Science and Space Programs Branch, Energy and Science Division,
Office of Management and Budget
Associate Director, National Security and International Affairs Division, Defense Acquisition
Issues, General Accounting Office
Professional Assistant, Senate Subcommittee on Science, Technology, and Space

Chairman and Ranking Minority Member - Congressional Committees and Subcommittees

Senate Committee on Appropriations
Senate Subcommittee on VA, HUD, and Independent Agencies
Senate Committee on Commerce, Science, and Transportation
Senate Subcommittee on Science, Technology, and Space
Senate Committee on Governmental Affairs
House Committee on Appropriations
House Subcommittee on VA, HUD, and Independent Agencies
House Committee on Government Reform
House Subcommittee on Government Management, Information, and Technology
House Subcommittee on National Security, Veterans Affairs, and International Relations House
Committee on Science
House Subcommittee on Space and Aeronautics

Congressional Member

Honorable Pete Sessions, U.S. House of Representatives

NASA Assistant Inspector General for Auditing Reader Survey

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Report Title: Final Report on the Audit of Foreign National Visitors at NASA Centers

Report Number:

Report Date:

Circle the appropriate rating for the following statements.

	Strongly Agree	Agree	Neutra l	Disagre e	Strongl y Disagre e	N/A
1. The report was clear, readable, and logically organized.	5	4	3	2	1	N/A
2. The report was concise and to the point.	5	4	3	2	1	N/A
3. We effectively communicated the audit objectives, scope, and methodology.	5	4	3	2	1	N/A
4. The report contained sufficient information to support the finding(s) in a balanced and objective manner.	5	4	3	2	1	N/A

Overall, how would you rate the report?

Excellent	Fair
Very Good	Poor
Good	

If you have any additional comments or wish to elaborate on any of the above responses, please write them here. Use additional paper if necessary. _____

How did you use the report? _____

How could we improve our report? _____

How would you identify yourself? (Select one)

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May we contact you about your comments?

Yes: _____ **No:** _____

Name: _____

Telephone: _____

Thank you for your cooperation.

Major Contributors to this Report

Kevin J. Carson, Program Director, Safety and Technology Audits

William A. Garay, Auditor-in-Charge

Diane R. Choma, Auditor

Iris Purcarey, Program Assistant

Nancy C. Cipolla, Report Process Manager