

Memorandum of Understanding
Between
The Department of Energy
And
The Personnel Security Research Center
For the
Joint Field Test of the Shedler Westen Assessment Procedure

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to formalize an agreement between the Department of Energy (DOE) and the Department of Defense Personnel Security Research Center (PERSEREC) regarding the joint conduct of a field test of the Shedler Westen Assessment Procedure at the Y-12 National Security Complex.

II. Background

The Department of Energy (DOE) has approved and currently utilizes the Millon Clinical Multi-axial Inventory-III (MCMI-III) screening test to assess a full array of behavioral and mental health conditions of individuals who are members of the Human Reliability Program (HRP). The Minnesota Multiphasic Personality Inventory (MMPI) and the Shedler Westen Assessment Procedure (SWAP) are also approved tools designed to detect and assess the existence of Axis II personality disorders in the DOE HRP population.

The SWAP tool offers a level of assessment granularity and quality over the MCMI-III and MMPI tools because it enables the clinician to personally observe how the individual responds to questions, to recognize respondent's verbal cues, and assists in identifying "positive-response biases" by which individuals attempt to put forth favorable information that may or may not be consistent with other responses elicited by the clinician. In addition to its increased sensitivity for the identification of personality disorders under the criteria set forth in the Diagnostic and Statistical Manual (DSM) employed by clinical psychologists, the SWAP may improve the characterization of personality traits and features indicative of job incompatibility (i.e., security risk) consistent with the recommendations and requirements of the Office of Personnel Management (OPM).

III. Authority

This MOU is authorized in accordance with 10 C.F.R., Part 712 which establishes the framework for the DOE HRP and the President's Management Agenda of 2002 with the general cooperative authority provided under the Economy Act of 1932, 31 U.S.C. Section 1535. These Federal provisions provide for the relevant Federal agencies to utilize other Federal agencies in providing goods and services when the requests are in the best interests of the government. In accordance

with 31 U.S.C. 1535 and with Section 17.503 of the Federal Acquisition Regulations, the contracting official of DOE makes determinations and findings consistent with Section 204 Of the E Government Act of 2002 (44 U.S.C. 3501 note) and 40 U.S.C. 11318.

For the purposes of the SWAP field test, HRP clinicians will be collecting information from HRP applicants and current employees. 10 C.F.R. Part 712 gives them the authority to collect this information. PERSEREC will not have access to, or report on, privacy information of DoE applicants. PERSEREC staff will use interview procedures to collect information from HRP clinicians in such a manner that the clinicians cannot be identified, directly or through identifiers linked to them. Any disclosure of the PERSEREC interview information outside the research cannot include privacy information about applicants or clinicians and, consequently, will not place PERSEREC or DOE clinicians at risk of criminal or civil liability or be damaging to their financial standing, employability, or reputation.

IV. Expectations

DOE, partnering with the Personnel Security Research Center (PERSEREC), proposes to conduct a study utilizing the SWAP tool on a representative segment of the HRP population. HRP participants in the study will be evaluated by DOE clinicians who have been trained in the use of the SWAP methodology.

The purpose of the study is to have five mental health clinicians supporting DOE's Y-12 National Security Complex in Oak Ridge Tennessee each conduct five SWAP assessments for a total of twenty five assessments. Assessments may be conducted on both candidate and incumbent HRP program participants who have been referred for evaluation.

The SWAP tool seeks to identify personality disorders (medical conditions) of individuals within the HRP population who could constitute significant risks to the security and safety of personnel, facilities, assets and operations. It identifies personality traits or characteristics that might suggest job incompatibility consistent with OPM definitions and standards. If employed in concert with other elements of the HRP, it may also provide enhanced capability to predict and avoid security incidents or mishaps before they occur.

DOE will utilize the results of the test, along with other established behavioral indices, to determine if HRP procedures and practices should be revised or developed to better characterize HRP candidates or incumbents and avoid safety and security incidents before they occur.

Results will also be forwarded to certifying officials to determine if additional testing of a given individual should be initiated on an accelerated schedule to ensure continued suitability for the HRP.

V. Methodology

Five DOE clinicians from Y-12 in Oak Ridge, TN, will be trained by Dr. Jonathan Shedler on how to modify the structured interview that is currently in place at Y-12 to provide information necessary for the SWAP. The current DOE screening procedure asks subjects to describe their symptoms, education, work history, relationship history, etc. These current screening areas account for approximately 80% of information necessary for the SWAP, and clinicians will be trained to probe further into emotionally salient experiences in several of these areas. The HRP clinicians will also be trained by Dr. Shedler on how to use the SWAP software to categorize information from the structured interview.

After completing the training workshop, each clinician will use the SWAP protocol to assess approximately five individuals in either of two situations: 1) to screen initial candidates for the HRP program, and/or 2) to evaluate current persons in HRP access who display behavior(s) of concern or otherwise warrant a clinical evaluation. In either situation the SWAP will be used as a supplemental assessment tool, and not as a substitute for instruments that are already in place.

At the end of the SWAP pilot test at Y-12, PERSEREC staff will interview participating HRP clinicians regarding the tool's utility for assessment of risky personality characteristics, analyze and aggregate their responses, and then brief the findings to DOE stakeholders.

VI. Privacy Act Considerations

The Privacy Act of 1974, 5 U.S.C. §552a, regulates the collection, maintenance, use and dissemination of personnel information in government records when that information is retrieved by the name or other personal identifier of the subject of record. Since the purpose of this MOU is to conduct a field test within the established parameters and guidelines of the DOE Human Reliability Program, security procedures for the protection of privacy information inherent within the program shall apply.

Furthermore, all potential privacy risks for HRP participants are mitigated by the fact that PERSEREC will not collect, maintain, use, or disseminate any personally identifying information (PII) about HRP participants, such as names, SSNs, or medical/psychological reports. This information will not be relevant or necessary for the purposes of the PERSEREC evaluation.

VII. Responsibilities:

DOE will provide support to this test in the form of facilities, personnel, and equipment necessary to conduct training and assessments at the Y-12 site.

DOE will fund approximately 50% of contractor personnel costs for the test as well as the labor and facility costs for participating DOE clinicians. Funds in the amount of \$40,000 will be paid to PERSEREC. Funds in the amount of \$5,000 will be provided to the Y-12 National Security Complex to reimburse the site for the cost of clinicians' initial training and time spent administering the procedure. PERSEREC will fund approximately 50% of the cost of the test to

include the cost of labor hours for PERSEREC contractors. PERSEREC will apply approximately \$40,000 of their funds for this purpose.

Supporting clinicians will conduct SWAP assessments and provide feedback regarding SWAP's utility to PERSEREC in the required format within established timeframes.

PERSEREC will conduct SWAP training at the Y-12 facility and provide all necessary software, written procedures and technical advice necessary for a successful test. PERSEREC also will provide DOE with copies of all reports and related documents that generated as a result of the test.

VIII. Security Requirements:

DOE security regulations and requirements will apply. PERSEREC personnel and contractors will be briefed on security requirements prior to sharing any sensitive information or PII.

IX. Resolution Mechanism

In the event of disagreement under this MOU, the below listed points of contact shall negotiate a resolution and develop and implement the solution.

X. Effect of Agreement

Nothing in this MOU shall be interpreted as limiting, superseding or otherwise affecting either party's normal operations or decisions in carrying out its statutory or regulatory duties. This MOU does not limit or restrict either party from participating in arrangements with other agencies. This MOU does not in and of itself authorize the expenditure or reimbursement of any funds. Nothing in this MOU obligates either party to expend appropriations or enter into any contract or other obligations.

XI. Effective Date and Duration of Agreement

The effective date of this agreement will be the date of the last approval signature on the agreement. This agreement will last for a period of one year after which it will enter a period of review for possible adoption as a long-term arrangement. If no decision has been made after five years, it will be considered terminated.

XII. Reimbursable Provisions:

This agreement constitutes a funding obligation for FY 2009 by the U.S. Department of Energy, Office of Headquarters Security Operations, of an amount not to exceed \$45,000. Transfer of funds from the Department of Energy will be made via the Department of Treasury's Intra-Government Payment and Collection (IPAC) System (\$40,000) and internal realignment of DOE program funding (\$5,000). Funds not expended under this Agreement shall remain with the Department of Energy. The accounting and appropriation data to be cited for IPAC billing purposes is shown below.

XIII. Accounting Information:

Department of Energy
Agency Location Code: 8900001
Appropriation: 89X0243.91
DOE DUNS#: 106426034
Accounting Classification Code: 400890000

Personnel Security Research Center
Agency Location Code: 00006551
Appropriation 9790100 7301 001 P86001 2516 QS H5A9 * S033181
PERSEREC DUNS#: 076523617
Accounting Class Code: 2516

Billing Contacts:

Department of Energy/HSS
Name: Joanne Csordas
Phone #: (301) 903-3573

Defense Personnel Security Research Center
Name: Mr. Jeff Scott
U.S. Department of Defense
PERSEREC
99 Pacific Street, Suite 455-E
Monterey, CA 93940
Phone #: (831)-657-3027

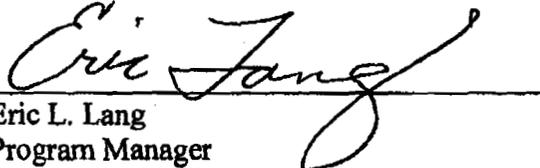
XIV. Points of Contact:

Department of Energy/HSS
Name: Ms. Stephanie Brewer
Office of Departmental Personnel Security
Office of Health, Safety and Security
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
(202) 586-3249

Defense Personnel Security Research Center
Name: Dr. Eric Lang
U.S. Department of Defense
PERSEREC
99 Pacific Street, Suite 455-E
Monterey, CA 93940
Phone#: (831)-657-3025

XV. SIGNATURES

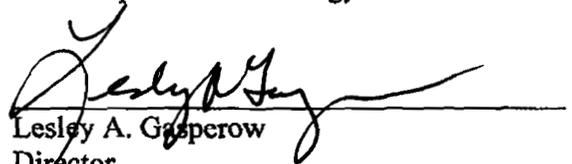
The undersigned agree to the terms and conditions of this Memorandum of Understanding:


Eric L. Lang
Program Manager
Defense Personnel Security Research Center
U.S. Department of Defense

7/8/09
Date


Stephanie J. Brewer
Director
Office of Departmental Personnel Security
Office of Health, Safety and Security
U.S. Department of Energy

7/9/09
Date


Lesley A. Gasperow
Director
Office of Resource Management
Office of Health, Safety and Security
U.S. Department of Energy

7/17/09
Date