ELECTRIC BOAT
AUG 12 2019
DATA BANK

DEPARTMENT OF THE NAVY
NAVAL NUCLEAR PROPULSION PROGRAM
NAVAL SEA SYSTEMS COMMAND (SEA 08)
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2 August 2019

From: Commander, Naval Sea Systems Command (SEA 08)
To: Commander, Naval Sea Systems Command (SEA 00P)

Subj: PROCEDURE FOR OBTAINING APPROVAL FOR PROCESSING NAVAL NUCLEAR PROPULSION INFORMATION ON NON-FEDERAL INFORMATION SYSTEMS; CLARIFICATION OF

Ref:
(a) OPNAVINST N9210.3, 7 June 2010, Safeguarding of Naval Nuclear Propulsion Information
(b) 32 CFR Part 2002, Controlled Unclassified Information
(c) DFAR 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting
(d) NIST Special Publication 800-171, Protecting Controlled Unclassified Information on Non-Federal Systems and Organizations
(e) DoD 5220.22-M, National Industrial Security Operating Manual (NISPOM)
(f) DD Form 2345, Militarily Critical Technical Data Agreement

1. **Background:**

a. Reference (a) is issued by Chief of Naval Operations (CNO) Code N00N (also referred to as NAVSEA Code 08 or Naval Reactors (NA-30)). Reference (a) defines Naval Nuclear Propulsion Information (NNPI) and associated information security requirements specific to NNPI, and is required to be invoked on all contracts and subcontracts which include the processing of classified and unclassified NNPI. Additionally, reference (a) requires NAVSEA 08 approval of information systems processing NNPI and stipulates that all IT systems authorized for processing NNPI are subject to audit and review by NAVSEA 08.

b. Reference (b) defines Controlled Unclassified Information (CUI) as sensitive information that requires specific protection from public disclosure. As a "specified" category of CUI defined in accordance with reference (b), Unclassified NNPI (U-NNPI) is identified to have additional handling and protection controls, which are provided in reference (a).

c. Reference (c) requires the protection of Covered Defense Information (CDI), a definition which encompasses U-NNPI and within the Department of Defense is synonymous with CUI, and identifies the cyber security requirements for the protection of CDI as being contained in reference (d). Reference (c) must be invoked on all contracts requiring the processing of CDI.

d. Reference (e) provides the requirements for the protection of classified information at Cleared Defense Contractors (CDC). Reference (e) is extended by requirements in reference (a) that apply to the protection of classified NNPI that is categorized as RESTRICTED DATA (RD) as defined in the Atomic Energy Act, or as NATIONAL SECURITY INFORMATION (NSI) in accordance with Executive Order 13526.

e. Reference (f) is a certification under the Joint Certification Program that establishes the eligibility of a United States contractor to access technical data governed by United States Department of Defense Directive 5230.25.

2. **NAVSEA 08 Discussion:**

a. Reference (a), Chapter 9, Paragraph 2.a and 2.b require NAVSEA 08 approval for processing NNPI on information systems regardless of classification. However, reference (a) provides insufficient detail outlining the process for gaining such approval, and the required artifacts necessary to efficiently support such an approval, for non-federal information systems. Reference (a) does require completion of documentation discussing how the reference (a) IT system protections are implemented. This letter provides the approval process and documentation requirements for non-Federal systems as outlined below.

(1) Unclassified Systems Not Already Approved for Processing NNPI: Sellers requesting approval for processing U-NNPI on non-federal information systems that have no existing approval must submit the following documents no fewer than 90 days prior to the authorization-need date:

(a) Letter on Corporate letterhead formally requesting authorization to process U-NNPI. The letter must identify the applicable contract number(s), applicable statement(s) of work, as well as buyer and seller points of contact for cyber security concerns and affected non-federal information systems.

(b) Copy of the relevant, completed DD Form 2345 (Reference (f)).

(c) Copy of Security Plan meeting the requirements of reference (d), requirement 3.12.4, and the requirements of reference (a), Table 3.

(d) Copy of relevant Plans of Actions and Milestones (POAMs) for implementing reference (d) requirements.

(e) Copy of relevant waiver requests and, if applicable, respective approvals, of reference (a) requirements.

(2) Classified Systems Not Already Approved for Processing NNPI: NAVSEA 08 provides concurrence on classified NNPI information systems as a part of the Defense Counterintelligence and Security Agency (DCSA) authorization process. Once DCSA approval is obtained, processing is authorized. The following should be provided for information upon receipt of authorization:

(a) Letter on Corporate letterhead formally notifying NAVSEA 08 of authorization to process NNPI. The letter must identify the applicable contract number(s), applicable statement(s) of work, as well as buyer and seller points of contact for cyber security concerns, the type of information being processed (i.e., U-NNPI, C-NSI, and/or C-RD), and affected non-federal information systems.

(b) Copy of relevant, completed DD Form 2345 (Reference (f)).

(c) Copy of existing Defense Counterintelligence and Security Agency (DCSA) authorization, including the eMass number for the accreditation package as reference.

(3) Systems Already Approved for Processing NNPI via Another Contract: Sellers gaining new work that requires the use of the previously authorized system may expand the approval provided that there are no significant changes to the system and/or details of implementation which affect controls required for NNPI protections, or the contents of previously submitted supporting documentation. Sellers should ensure that the original authorization for NNPI processing and any notifications of updates are on file.

(4) Approval Periodicity: There is no requirement to reapprove systems that have maintained continuous approval for NNPI processing unless there are significant changes to the system and/or details of implementation which affect controls required for NNPI protections, or the contents of previously submitted supporting documentation.

(5) Contract Completion: When a contract is completed and no other contracts are in place requiring NNPI processing, the seller must notify NAVSEA 08 so that the system may be de-authorized or submit a request for extension of authorization based upon the anticipation of expected future NNPI work.

(6) Request Submission: All requests for approval should be forwarded to:

Naval Sea Systems Command
Naval Nuclear Propulsion Program, NAVSEA 08
Attn: 08B-Security
1240 Isaac Hull Ave SE
Washington DC 20376

b. Although each of the requested artifacts supporting the approval process is already contractually required, gathering and submitting the artifacts, reviewing the artifacts, and drafting approvals will take time. It is not the intent of this guidance to immediately preclude issuance of new contracts or delivery orders, modification of existing contracts or delivery orders, or other contractual actions enabling the continuation of work. Therefore, non-federal information systems which require authorization under this clarification are granted until no later than 1 March 2021 to come into full compliance with the approval requirements herein. While this grace period permits continued operation of existing information systems processing NNPI until the aforementioned date, seeking proper approval for such systems should not be unnecessarily delayed, but rather pursued as soon as practicable prior to the grace period closure date.

3. **NAVSEA 08 Action:** NAVSEA 08 provides the aforementioned guidance contained in the Discussion paragraphs above to clarify how to obtain approval for NNPI processing on non-federal information systems in accordance with the requirements of reference (a).

4. **Request for NAVSEA 00P Action:** NAVSEA 00P is requested to propagate this clarifying guidance via appropriate means to all Prime Contractors and sub-ordinate contracting offices requiring the processing of classified or unclassified NNPI on non-federal systems, requesting propagation throughout their supply chains, as applicable.

5. The action taken by this letter is considered by the Government to be within the scope of existing contracts and therefore does not involve or authorize any delay in delivery or additional cost to the Government, either direct or indirect.

V. R. Foulk
By direction

Copy to (Prime Contractor):
KAPL ADSARS
Supplier Security, BPMI

Copy to (All Others):
President, Newport News Shipbuilding
President, Electric Boat Corporation