



Department of Defense INSTRUCTION

AD-A272 037

June 26, 1985
NUMBER 5210.74

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ASD(C31)

SUBJECT: Security of Defense Contractor Telecommunications

- REFERENCES:
- (a) National Communications Security Instruction (NACSI) 6002, "Protection of Contractor Telecommunications," June 4, 1984
 - (b) National Security Decision Directive (NSDD) 145, "National Policy on Telecommunications and Automated Information Systems Security," September 17, 1984
 - (c) DoD Directive C-5200.5, "Communications Security (COMSEC) (U)," October 6, 1981
 - (d) through (i) see enclosure 1

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A. PURPOSE

This Instruction:

1. Implements reference (a) by providing implementation guidance on a new means to expedite securing and protecting certain telecommunications between and among DoD Components, their contractors, and subcontractors.
2. Provides a new method for direct acquisition of COMSEC and approved protection equipment, for contractor installation and maintenance of service, and for recovery of costs through the contract.
3. Provides further definition of the telecommunications involved and the priority to be assigned to the program of securing and protecting those telecommunications.
4. Establishes policy and procedures and assigns responsibilities for security of DoD contractor telecommunications.

B. APPLICABILITY AND SCOPE

This Instruction:

1. Applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff (OJCS), the Unified and Specified Commands, and the Defense Agencies, (hereinafter referred to as DoD Components).
2. Applies to existing and future contracts executed by DoD Components that involve classified information or unclassified national security-related (sensitive) information, as defined herein.
3. Applies to United States Defense contractor telecommunications, worldwide where the use of COMSEC or protection equipment of U.S. manufacture is permitted.

This instruction has been approved for release and its distribution is unlimited

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C. DEFINITIONS

Terms used in this Instruction are contained in enclosure 2.

D. POLICY.

It is DoD policy to secure or protect telecommunications among and between the DoD Components, their contractors, and subcontractors in a manner that will preclude potential damage to the national defense. NSDD 145 (reference b), DoD Directive 5200.5 (reference c), and DoD Directive 5220.22 (reference d) apply.

E. PRIORITIES.

The following priorities apply:

1. First priority shall be given to providing a secure voice capability among the DoD program managers, and their contractors and subcontractors who currently are performing on classified contracts and possess or routinely exchange significant amounts of classified information.
2. Second priority, if not concurrent with the first priority, shall be given to securing record and data telecommunications among the DoD program managers and their contractors and subcontractors who currently are performing on classified contracts and possess or routinely exchange significant amounts of classified information.
3. Third priority shall be given to protecting unclassified national security-related voice, record, and data telecommunications among program managers and their contractors and subcontractors.

F. RESPONSIBILITIES

1. The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence shall oversee the implementation of this Instruction.
2. The Deputy Under Secretary of Defense for Policy shall issue appropriate changes to DoD 5220.22-R (reference (e)), and review implementing directives, instructions, and procedures of the DoD Components for compliance.
3. The Deputy Under Secretary of Defense for Acquisition Management shall ensure that the requirements of this Instruction are incorporated into the Federal Acquisition Regulations (reference (i)).
4. The Director, Defense Investigative Service, shall ensure the provisions of this Instruction that pertain to securing of classified telecommunications are incorporated in DoD 5220.22-R (reference (e)).
5. The Secretaries of the Military Departments, the Chairman, Joint Chiefs of Staff and the Directors of Defense Agencies shall:

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a. Formulate and issue directives, instructions, and procedures to implement the provisions of this Instruction within their respective DoD Components.

b. Provide an assessment of progress in accordance with NSDD 145 (reference (b)) and Section IV of NTISS Directive 900, (reference (h)).

c. Develop key management plans for both secure and protected applications and provide keying material requirements to the Director, NSA, in accordance with normal procedures.

6. The Director, National Security Agency shall:

a. Establish a program to provide for the direct acquisition of COMSEC and approved protection equipment.

b. Publish a list of sources and pricing guidelines for this program quarterly.

c. Ensure there are no conflicts with DoD COMSEC production contracts.

d. Provide technical assistance, guidance, and doctrine for both secure and protection systems and services.

e. Provide keying material in support of DoD Component key management plans.

G. PROCEDURES.

The following general guidelines apply in implementing this policy:

1. These procedures supplement but do not replace traditional methods for acquisition and installation of COMSEC equipment on Defense contractor telecommunications. DoD Components are encouraged to use this new approach, traditional Government Furnished Equipment (GFE) methods, or any combination deemed most likely to achieve the earliest possible attainment of policy objectives.

2. Each DoD contract shall contain a specific statement of any additional requirements for securing or protecting telecommunications as specified in subpart 4.5 of the Federal Acquisition Regulation, (reference (i)), and shall include authorization for direct purchase of equipment or services from vendors or manufacturers, by expressing the following type of information:

a. This contract requires the securing of classified information by employing secure voice telecommunications between (enter specific details). The contractor is authorized to procure COMSEC equipment and services directly from COMSEC vendors identified by NSA.

b. This contract requires the securing of classified information by employing secure data or record telecommunications between (enter specific details). The contractor is authorized to procure COMSEC equipment and services directly from COMSEC vendors identified by NSA.

c. This contract requires both the securing of classified information and the protection of unclassified national security-related information. For the former, the contractor shall employ secure (voice, data, and record, as appropriate) telecommunications between (enter specific details), and is authorized to procure COMSEC equipment and services directly from COMSEC vendors identified by NSA. For the latter, the contractor shall employ protected (voice, data, and record, as appropriate) telecommunications between (enter specific details), and is authorized to procure NSA-approved protection equipment and services directly from vendors identified by NSA.

d. This contract requires the protecting of unclassified national security-related information by employing protected voice, data, or record telecommunications between (enter specific details). The contractor is authorized to procure NSA-approved protection equipment and services directly from vendors identified by NSA.

3. When contracts call for COMSEC equipment, the contractor shall use the contract clause (paragraphs G.2.a., b., or c. as applicable) as authorization to procure COMSEC equipment and related services directly from the vendor. DoD Components may purchase secure systems directly from NSA-approved vendors for the government terminals of Defense contractor telecommunications.

4. When contracts call for protection equipment and services, the contractor may purchase NSA-approved protection equipment and services directly from the vendors. Protection equipment and keying material are unclassified and not under the purview of the DoD Industrial Security Program. However, NSA-produced or-approved keying material must be used.

5. New and existing DoD contracts shall incorporate the procedures of this Instruction. Existing contracts shall be modified as necessary, but no later than 12 months from the effective date of this Instruction or the Federal Acquisition Regulation, (reference (i)).

6. Costs for acquisition, operation, maintenance, and administration for both secure and protected systems and services will be recovered in accordance with the Federal Acquisition Regulation (reference (i)) in the same manner as costs for physical security requirements. Keying material for both secure and protected systems will be furnished by NSA at no charge. DoD Components are responsible for developing keying material requirements for themselves and their associated contractors for both secure and protected applications and providing information to the Director, NSA, in accordance with normal procedures.

7. All COMSEC equipment, that is acquired directly from an approved vendor by a DoD contractor is U.S. Government property and subject to disposition instructions upon termination of the contract. It is the intent of this Instruction that COMSEC equipment obtained under these procedures be retained by the contractor for use on future contracts with DoD or any other Federal activity listed in Section 1 of the DoD Industrial Security Regulation. DoD Components are responsible for coordinating retention or disposition in accordance with DoD 5220.22-R (reference (e)).

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8. Protection equipment obtained under these procedures shall become the property of the contractor.

H. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward three copies of implementing documents to the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence within 120 days of receipt of this Instruction and the applicable Federal Acquisition Regulation.

Donald C. Patton

Assistant Secretary of Defense
(Command, Control, Communications
and Intelligence)

- Enclosures - 2
1. References
2. Definitions

Accession for	
NTIS - CPA&I	
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By <i>form 50</i>	
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Availability Codes	
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References (Con't)

- (d) DoD Directive 5220.22, "DoD Industrial Security Program," December 8, 1980
- (e) DoD 5220.22-R, "Industrial Security Regulation," February 1984
authorized by reference (d), above
- (f) DoD 5220.22-M, "Industrial Security Manual for Safeguarding Classified
Information, March 1984, authorized by reference (d), above
- (g) DoD 5220.22-S-1, "COMSEC Supplement to Industrial Security Manual for
Safeguarding Classified Information," August 1983, authorized by
reference (d), above
- (h) National Telecommunications and Information Systems Security (NTISS)
Directive 900, "Governing Procedures of the National Telecommunications
and Information Systems Security Committee," February 1, 1985
- (i) Federal Acquisition Regulation, Subpart 4.5, "Security of Defense
Contractor Telecommunications" (to be issued)

DEFINITIONS

1. COMSEC Vendor. A manufacturer of COMSEC equipment or services who is specifically authorized in writing, by the Director, NSA, to sell such equipment and related services to DoD Components, or their contractors and subcontractors.

2. Defense contractor telecommunications. Voice, record, and data communications, employed between and among the DoD Component program managers and their contractors and subcontractors. This includes management information systems and local data networks that connect to external transmission media.

3. NSA-Approved Protection. Equipment or techniques that the Director, NSA, has determined to meet certain prescribed Federal security standards for unclassified national security-related telecommunications protection.

4. Protecting. The application of National Security Agency (NSA)-approved protection equipment, devices, or techniques to Defense contractor telecommunications over which unclassified national security-related information is transmitted.

5. Securing. The application of National Security Agency (NSA)-approved COMSEC equipment, devices, or techniques to telecommunications systems that transmit classified information.

6. Unclassified National Security-Related Information. Information incident to the performance of contracts with Department of Defense that involve technologies listed in the current edition of "The Militarily Critical Technologies List" published in unclassified form by the Office of the Under Secretary of Defense for Research and Engineering, and other Government or Government derived unclassified information deemed by DoD Components or their contractors to require protection.

SUPPLEMENTARY

INFORMATION

DEPARTMENT OF DEFENSE

DIRECTIVES SYSTEM TRANSMITTAL

NUMBER See Pen Changes Below	DATE November 16, 1994	DISTRIBUTION 5000 series
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ATTACHMENTS

None

ERRATA ADA 278037

INSTRUCTIONS FOR RECIPIENTS

Pen changes to the following DoD Issuances are authorized:

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Directive 5000.4, November 24, 1992</u> Section E. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 5. Delete "Implementing documents shall be kept to a minimum as deemed appropriate by the DoD Component Acquisition Executive. Forward one copy of implementing documents to the Assistant Secretary of Defense (Program Analysis and Evaluation) within 120 days."	Change 1
<u>DoD Directive 5010.10, August 9, 1972</u> Section IX. Heading. Delete "AND IMPLEMENTATION" Lines 2 through 7. Delete "DoD components will revise their regulations and instructions as necessary to implement this Directive and forward two copies of implementing instructions to the Assistant Secretary of Defense (Intelligence) and to the Assistant Secretary of Defense (Manpower and Reserve Affairs) within 90 days."	Change 1
<u>DoD Instruction 5010.34, August 4, 1975</u> Section VII. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 5. Delete "and will be promptly implemented in conjunction with DoD Directive 5010.31 (reference (a)). DoD Components shall forward four copies of their implementing documents to the Assistant Secretary of Defense (Installations and Logistics) within 90 days."	Change 1

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT

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INSTRUCTIONS FOR RECIPIENTS (continued)

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Instruction 5010.39, November 16, 1984</u> Section H. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward one copy of implementing documents to the Assistant Secretary of Defense (Manpower, Installations, and Logistics) within 120 days."	Change 1
<u>DoD Directive 5120.39, April 24, 1980</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of implementing instructions to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days."	Change 1
<u>DoD Directive 5120.42, May 19, 1977</u> Section I. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of the implementing instructions to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 90 days."	Change 1
<u>DoD Directive 5132.3, March 10, 1981</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of the implementing documents to the Assistant Secretary of Defense (International Security Affairs) within 120 days."	Change 1
<u>DoD Directive 5154.11, September 12, 1988</u> Section F. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of the implementing documents to the Assistant Secretary of Defense (Health Affairs) within 60 days."	Change 1
<u>DoD Directive 5210.2, January 12, 1978</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 5. Delete "Forward two copies of the implementing documents, and any subsequent amendments, to the Deputy Under Secretary of Defense for Policy within 90 days. One copy shall be marked to indicate implemented sections, subsections, paragraphs, and subparagraphs of this Directive."	Change 3

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INSTRUCTIONS FOR RECIPIENTS (continued)

<u>DoD Issuance Number and Date</u>	<u>Change Number</u>
<u>DoD Instruction 5210.25, May 12, 1983</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of the implementing documents to Deputy Under Secretary of Defense for Policy within 120 days."	Change 1
<u>DoD Directive 5210.64, November 6, 1978</u> Section E. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 5. Delete "Forward two copies of the implementing documents and any subsequent amendments, to the Assistant Secretary of Defense (Comptroller) within 120 days. Mark one copy to indicate implemented sections, subsections, paragraphs, and subparagraphs of this Directive."	Change 1
<u>DoD Instruction 5210.74, June 26, 1985</u> Section H. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 4. Delete "Forward three copies of the implementing documents to the Assistant Secretary of Defense for Command, Control, Communcations, and Intelligence within 120 days of receipt of this Instruction and the applicable Federal Acquisition Regulation."	Change 1
<u>DoD Directive 5210.83, November 15, 1991</u> Section H. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 5. Delete "Forward one copy of the implementing documents to the Assistant Secretary of Defense for Command, Control, Communcations, and Intelligence within 120 days; forward one copy of changes to implementing documents within 90 days of publication."	Change 1
<u>DoD Directive 5215.1, October 25, 1982</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 through 3. Delete "Forward two copies of the implementing document to the Under Secretary of Defense for Research and Engineering within 120 days."	Change 1
<u>DoD Directive 5500.19, December 6, 1985</u> Section G. Heading. Delete "AND IMPLEMENTATION" Lines 1 and 2. Delete "Forward two copies of the implementing documents to the General Counsel, Department of Defense, within 120 days."	Change 1

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INSTRUCTIONS FOR RECIPIENTS (continued)

DoD Issuance Number and Date

Change Number

DoD Directive 5535.4, August 31, 1984

Change 1

Section F.

Heading. Delete "AND IMPLEMENTATION"

Lines 1 through 5. Delete "Component implementation shall be submitted for approval of the General Counsel, Department of Defense, within 90 days of the effective date of this Directive. All component implementing regulations and changes require the approval of the General Counsel."

EFFECTIVE DATE

The above pen changes are effective immediately. Although the pen changes remove the requirement for DoD Components to issue implementing documents, the DoD issuances are directly applicable to all elements with the Components and the Heads of the DoD Components are responsible for carrying out the DoD guidance.


JAMES L. ELMER
Director
Correspondence and Directives