

April 15, 2015

# 5<sup>th</sup> Annual FOCI FSO Conference



Defense Security Service

# STAN SIMS

DSS Director





# Maintaining U.S. Advantage in National Security

## ***“Economic Security is National Security”***

LTG Robert Gard, PhD, USA (ret)  
Chairman of the Center for Arms  
Control and Non-Proliferation

- *The Government Pays For Decisive Advantage Against Our Adversaries*
- *Companies Thrive due to the Advantages of Their Defense and National Security Platforms and Systems*
- *Our Public - Private Partnership is Expected to Maintain U.S. Advantage in Defense and National Security*
- *Together We Need to be Proactive Against The Threat - Forward Leaning*





# DSS - Industry Partnership Critical

- Partnership ... key to continued success



\* ASSUMPTION: Industry has primary accountability/responsibility





# Industrial Security Updates

- DoD Insider Threat Management and Analysis Center
- Insider Threat Implementation...Conforming Change 2
- E.O.13691 Promoting Private Sector Cybersecurity Information Sharing
  - DHS...Cognizant Security Agency
- DTM 15-002...Policy Guidance for Processing of National Interest Determination
- Oversight of Industry Clearances
- FSO Effectiveness



# POLICY UPDATES

Keith Minard, Acting Chief, Policy Division  
Industrial Policy & Programs





# NISP Contract Classification System (NCCCS)

- What is NCCCS? NCCCS is:
  - an automated web based system created to facilitate the querying of DD 254 data and the management of security classification specification information
  - a coordinated effort between OUSD(AT&L) and DSS to provide a DoD and Federal enterprise solution for the creation, review, certification, and management of DD254's
  - Being built as an application on the DoD Wide Area Work Flow (WAWF) e-Business Suite Module
- What does it do?
  - Provides for more comprehensive NISP oversight
  - Creates a single, centralized, and secure repository for all DD254
  - Provides an integrated solution for DoD and Federal agencies in managing their classified contracts
- Testing and Timelines?





# Implementation of Insider Threat in Cleared Industry

- When issued NISPOM Conforming Change 2 will require cleared industry to implement insider threat programs
- Industry has six-months to implement upon issuance of the NISPOM Conforming Change 2
- The NISPOM will outline minimum standards that include;
  - Establish and maintain an insider threat program
  - Designate insider threat senior official
  - Gather, integrate, and report
  - Conduct of self-assessments of insider threat program
  - Insider threat training
  - Monitoring network activity
  - User acknowledgements
  - Classified Banners





# Implementation of Insider Threat in Cleared Industry

- To assist industry in implementing their insider threat programs DSS:
  - Will issue additional clarification in an Industrial Security Letter
  - Will communicate to industry to inform them of the requirements
  - Is briefing insider threat program requirements at assessment exit briefs
  - Is updating the ODAA process manual to clarify IT related requirements in coordination with the NISPPAC Certification and Accreditation Working Group
  - Developing an insider threat job aid
  - Revising the industry self-assessment guide
  - Will be hosting web based online information sessions to provide additional information and clarification on program requirements
  - Internally coordinating oversight efforts of contractor insider threat programs



# NATIONAL INTEREST DETERMINATIONS

Lynda Mallow, Acting Director  
Industrial Policy & Programs





# National Interest Determinations (NIDS)

- Directive Type Memorandum (DTM) 15-002, "Policy Guidance for the Processing of NIDS in Connection with Foreign Ownership, Control, or Influence (FOCI) was published on February 11, 2015
- The Director, DSS proposes NIDs on behalf of the DoD GCAs if a U.S. contractor will require access to proscribed information under a special security agreement (SSA)
- Where the NID does not require approval from a controlling agency for access to COMSEC, SCI, or RD the NID becomes final 30 days after DSS notifies the affected GCA unless the GCA does not concur
  - DSS will ensure continued communication with the GCA through the process to ensure a mutually agreeable solution is in place
- Access to proscribed information under the classification or jurisdiction of a USG agency other than the GCA will not be granted without the concurrence of the responsible USG control agency





# National Interest Determinations (NIDS)

- Implementation
  - Communication to the NISP Community
    - The NID DTM issuance was discussed at the February 18, 2015 Government Industrial Security Working Group (GISWG)
    - On February 13 and 27 DSS hosted an overview and presentation on Defense Connect Online
    - Internet Postings
    - Update to be provided at next GISWG scheduled for April 29, 2015
  - Development of Processes
  - Timelines
- What does DSS need from you?
- What will you get from DSS?
- Where to send NID requests
  - [NID@DSS.MIL](mailto:NID@DSS.MIL)



# NISP OVERSIGHT AT FOCI COMPANIES

Heather Sims

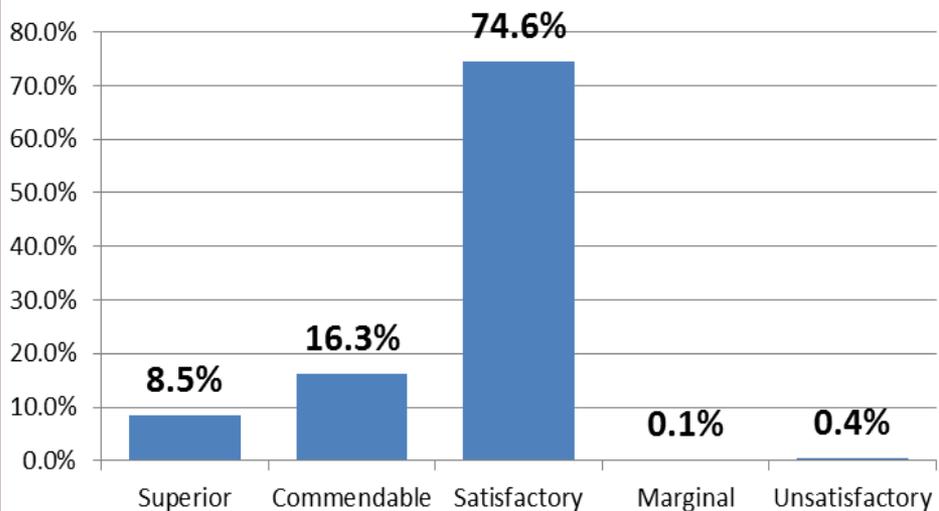
Assistant Deputy Director for Industrial Security



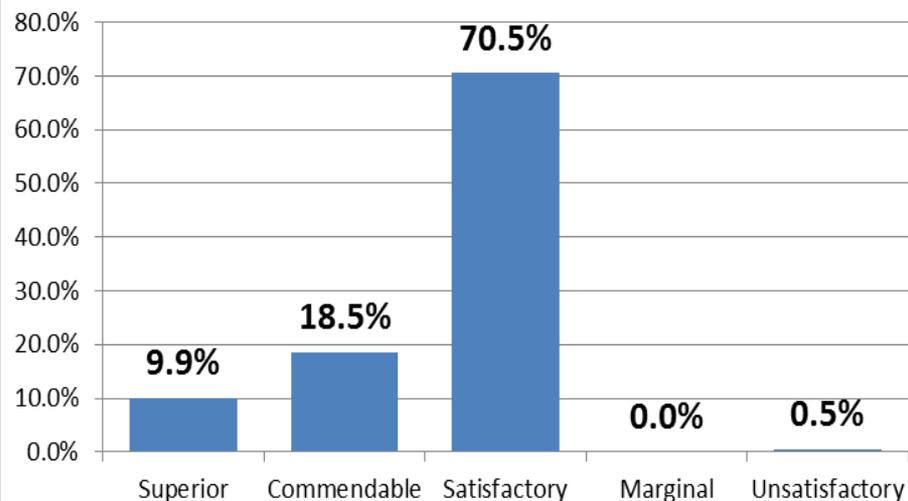


# What We're Finding

## FY13 Assessment Ratings



## FY14 Assessment Ratings





# FOCI Oversight Data

- FY 2014, DSS has conducted 6,912 security vulnerability assessments.
  - 402 of which were under FOCI mitigation
- FOCI Compliance Breakdown:
  - 26% rated Superior
  - 31% rated Commendable
  - 42% rated Satisfactory
  - 2% rated Unsatisfactory
- National Compliance Breakdown:
  - 10% rated Superior
  - 19% rated Commendable
  - 70% rated Satisfactory
  - 1% rated Marginal/Unsatisfactory





# Top Ten Common Vulnerabilities

1. *Inadequate security education, training, awareness* 15.9%
2. *Persons without proper eligibility accessing classified* 15.8%
3. *Not Auditing and reviewing audit results for classified systems* 6.5%
4. *Failure to provide written notification that review of the SF-86 is for adequacy and completeness or destroy when eligibility has been granted or denied* 5.7%
5. *Failure to perform self-inspection of security program* 2.9%
6. *Not reporting classified compromises* 2.4%
7. *Classified IS configuration and connectivity management* 2.3%
8. *Personnel clearance re-investigations out-of-scope* 2.2%
9. *Processing classified on an unaccredited computer system* 2.1%
10. *Unreported facility clearance change conditions (foreign buyout, mergers, key management personnel changes, etc.)* 1.8%





# FOCI Best Practices

- Frequent interaction with assigned Industrial Security Representative
- Effective /Proactive Approach to Monitoring Electronic Communications
- Self-Assessment of Facilities-High frequency and cross-pollination
- Solid Security Training & Education Program at all levels
- Active Participation in Security Community
- Government Security Committee Management Prerogative





# Keys to Success

<b>Management Support</b>	<i>Active engagement and oversight by management personnel is vital to the success of a security program. Management should set overarching strategic objectives to ensure that all resources required to implement a robust security program is provided to the FSO or Security Program Manager.</i>
<b>Security Education</b>	<i>The hallmark of a successful security education program begins with it's flexibility. The program must be both dynamic and continuous; able to be applicable to both cleared and uncleared personnel. With continual management support this program can become part of the organizations culture versus a requirement of the NISP.</i>
<b>Trained FSO, ISSM</b>	<i>FSO and ISSM must adhere to the requirements of the NISPOM. Further training and enrichment should continue over the course of a security professionals career. Participation in the local security community via ISAC's or DSS programs like PWI is strongly encouraged.</i>
<b>Security Integration Business Enterprise</b>	<i>Security should be integrated into every part of your organization. Your HR, Finance and travel offices should be trained to recognize Adverse Information and other security concepts to serve as a force multiplier to your security office.</i>





# Vulnerability Assessments

## Focus Areas:

- Effectiveness of the FSO
- Personal Security Clearance Validation/Reduction
- Incident and Adverse Information Reporting



# FOCI UPDATE

Nicoletta Giordani  
Branch Chief, FOCI Operations Division





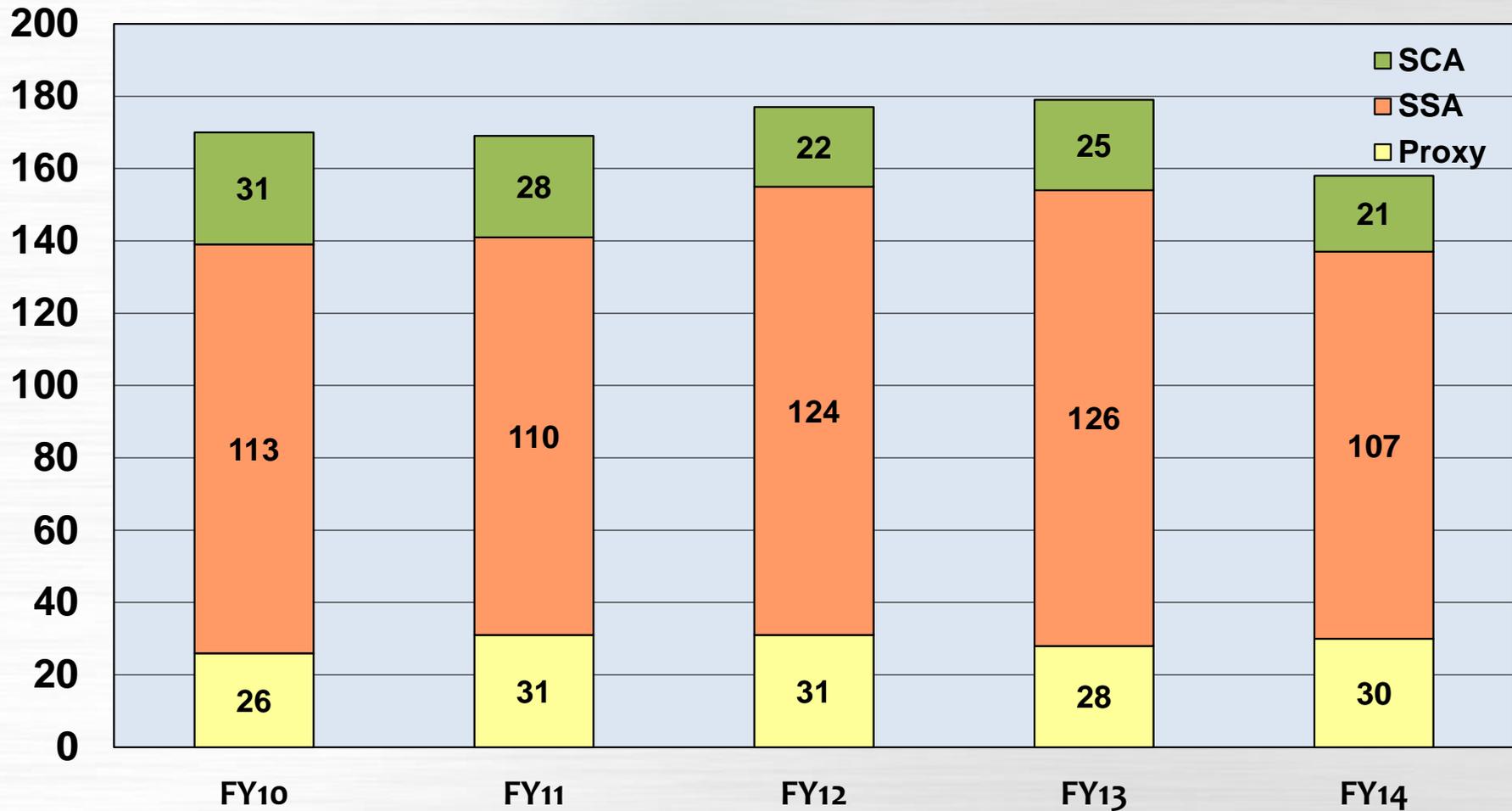
# Agenda

- Numbers:
  - FOCI Numbers Year-Over-Year
  - Oversight
- Updates
- Next Steps



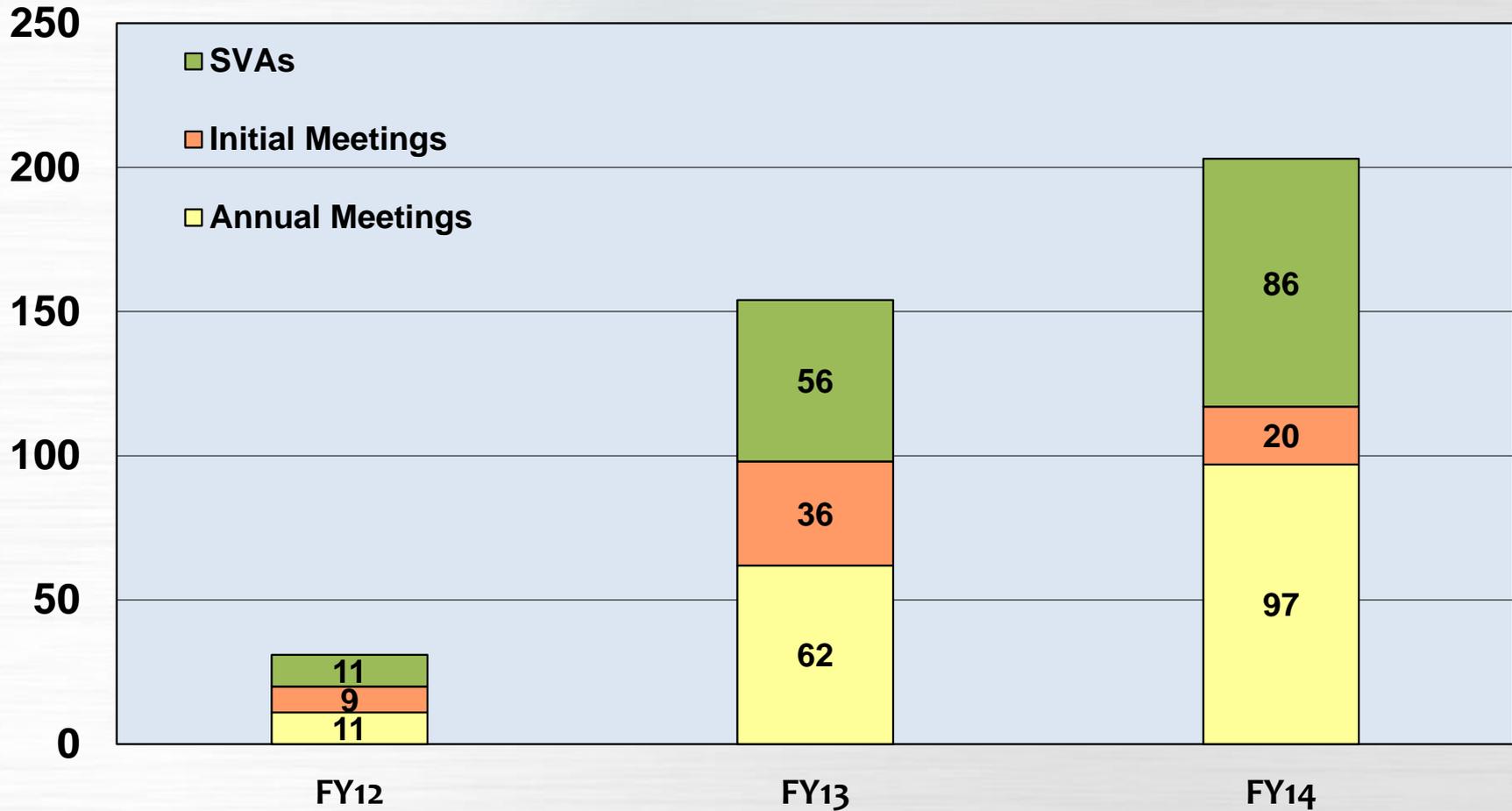


# Numbers – FOCI Agreements





# Numbers – Oversight





# Updates

- OD/PH Training available on DSS website
  - Three modules:
    - Module 1: Intro to DSS and FOCI
    - Module 2: Managing FOCI Mitigation
    - Module 3: Managing Relationships with FOCI Affiliates
  - In the process of developing three additional modules:
    - Module 4: Additional Responsibilities of the Proxy Holders and Voting Trustees
    - Module 5: Security Vulnerability Assessment
    - Module 6: Initial and Annual Compliance Meetings





## Next Steps

- AOP Guidance: DSS will make available an AOP Guidance Document and a sample AOP to Industry
- Annual Compliance Report: Provide more guidance to industry on how, when or what to submit for an Annual Compliance Report
- Due diligence guidance: DSS does not have any guidance to industry regarding requirements to protect classified and sensitive information during M&As
- Possible shift Third-party Relationships and Commercial Teaming Arrangements to the Annual Compliance Report
- Simplification of AOP/ECP/FLP to reduce overlap



# AFFILIATED OPERATIONS PLAN

Stefanie McCabe, Action Officer  
FOCI Operations Division





# Agenda

- History
- Template Affiliated Operations Plan
- Elements of Affiliated Operations Plan
- Processing and Review of Affiliated Operations Plans
- Common Misconceptions
- The Way Forward
- Questions





# History

- ❑ “Shared Services” and “Administrative Services” addressed in mitigation agreements prior to 2009
- ❑ Administrative Services Agreements introduced and approved, with little in the way of guidance or uniformity
- ❑ AOP first introduced in 2013 to standardize request forms, institute uniform review process, ensure final DSS decision
- ❑ AOP provides the GSC and DSS transparency of relationship between affiliates and mitigated entities
- ❑ AOP approval now required for all in-process companies before the FCL can be granted





# Affiliated Operations Plan (AOP) Template

- ❑ Provides a standardized template for use by all contractors
  
- ❑ Defines broad categories of shared services:
  - Affiliated services (traditional and reverse)
  - Shared third party services\*
  - Shared persons
  - Cooperative commercial arrangements\*
  
- ❑ Ensures that all FOCl and security risks have been addressed
  
- ❑ Provides guidance for review of risk mitigation strategies

\*Does not require DSS pre-approval





# Affiliated Operations Elements

- ❑ For each service, the company is expected to provide:
  - **Description** of the service, including
    - Who will provide service to whom and why (what are the benefits and who will pay)?
    - What will be the frequency of interaction and how will it take place?
    - Is Affiliate technology utilized?
    - Is access to classified or CUI required?
  - **Risks** inherent in sharing service and risk **mitigation** measures
    - FOCI Risks: Lack of independence from affiliates and security risks
    - Mitigation Measures: Tools and processes/procedures implemented to prevent undue influence and/or unauthorized disclosure of classified or CUI
  - **Review** of the service, internally (GSC) and externally (DSS)
    - How will the GSC conduct oversight internally to ensure compliance? What role will the FSO and TCO play?
    - How will DSS ensure that the company is complying with the risk mitigation strategies outlined above? What can DSS review?





# AOP Examples of Risk/Mitigation

Service	Risk	Mitigation
Internal Audit	<ul style="list-style-type: none"><li>➤ Undue influence over FOCI entity operations and management</li><li>➤ Unauthorized access to classified, export controlled, and/or sensitive/proprietary data</li></ul>	<ul style="list-style-type: none"><li>✓ FOCI entity or third party provider conducts audit</li><li>✓ Affiliates may provide specific scope of audit</li><li>✓ Audit results reviewed by GSC before released to affiliates</li></ul>
Human Resources	<ul style="list-style-type: none"><li>➤ Identify cleared employees and classified programs</li><li>➤ Influence over hiring, firing, performance appraisals, and compensation</li></ul>	<ul style="list-style-type: none"><li>✓ PCL information managed by FOCI entity through FSO</li><li>✓ FOCI entity controls hiring, firing, performance appraisals, and compensation</li></ul>
Legal Services	<ul style="list-style-type: none"><li>➤ Influence over FOCI entity business, management, and/or legal decisions</li><li>➤ Inadvertent disclosure of PCL information or classified, export controlled</li></ul>	<ul style="list-style-type: none"><li>✓ FOCI entity maintains a General Counsel</li><li>✓ Affiliate may provide specific guidance</li><li>✓ Separate engagement letters required when using third-party firm</li></ul>
Information Technology (IT)	<ul style="list-style-type: none"><li>➤ Unauthorized access to classified, export controlled, and/or sensitive/proprietary data</li><li>➤ Maintain control over network/information</li></ul>	<ul style="list-style-type: none"><li>✓ FOCI entity maintains control over IT infrastructure through an approved ECP (physical and virtual separation)</li><li>✓ FSO/TCO and GSC review of IT networks, tools, and information shared while interfacing with Affiliates</li><li>✓ Only allow for push relationship</li></ul>





# Affiliated Operations Plan Processing and Review

- ❑ Process is straightforward and standardized:
  - Contractors submit AOP\* to FOCl HQ directly or through ISR
  - FOD AO negotiates AOP with the company (usually 2-3 drafts)
  - DSS will approve or reject the AOP
  
- ❑ Why, then, does it take so long for many AOPs to get approved?
  - Internal coordination process involves multiple people, who can voice concerns at any point in the course of their review\*
  - Review is very thorough because the AOP is often the most detailed governance document a FOCl company uses
  
- ❑ Strategies for reducing review time in the future:
  - Collaboration/Partnership with DSS while identifying and defining services
  - Introduce AOP guidance to industry to minimize need for revisions





# Common Misconceptions

- ❑ “This service presents no FOCl risks”
  - Sharing a service **always** presents FOCl risk, however unlikely, because any sharing allows the parent/affiliates to have a certain degree of leverage over the cleared company, thereby affecting the company’s independence
- ❑ “This service presents no risks because we have already mitigated them”
  - Risks must be defined and mitigation measures should clearly demonstrate how they are structured to prevent identified risks
- ❑ “Classified information is not at risk because ours is a non-possessing facility”
  - There are many ways classified information can be compromised
- ❑ “The Review section applies only to DSS review, not the GSC”
  - The Review section shows how the GSC will conduct oversight of each service





# The Way Forward

- ❑ DSS will make available an AOP Guidance Document to Industry:
  - Identify potential and existing affiliated operations
  - Identify associated risks and develop risk mitigation measures
  - Describe affiliated operations within AOP to obtain DSS approval
  - Comply with the processes outlined within approved AOP
  - Prepare for SVA
  - Best practices and discuss role of GSC/FSO/TCO
  
- ❑ DSS will make available a sample AOP to Industry
  - A redacted, approved AOP to help give life to the template
  
- ❑ DSS will consider ways to consolidate oversight across the supplemental security plans (AOP, ECP, FLP) to reduce overlap



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  - May 14 – ITAR
  - June 11 – NID Process



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- Business Structures in the National Security Program (NISP) IS051.16 [description] [register]
- DSS Security Rating Process Course IS036.16 [description] [register]
- Facility Clearances in the NISP IS140.16 [description] [register]
- Facility Security Officer (FSO) Role in the NISP IS023.16 [description] [register]
- Industrial Security Facilities Database (ISFD) Job Aid IS118.16 [description] [register]
- Introduction to Industrial Security IS011.16 [description] [register]
- Introduction to the NISP Certification and Accreditation Process
- NISP C&A Process: A Walk-Through Course IS200.16 [description]
- NISP Reporting Requirements IS150.16 [description] [register]
- NISP Self-Inspection IS130.16 [description] [register]
- Personnel Clearances in the NISP IS142.16 [description] [register]
- Safeguarding Classified Information in the NISP IS109.16 [description]
- Security Support to International Industrial Operations IS181.16 [description]
- Technical Implementation of Certification and Accreditation (C Course IS310.16 [description] [register]
- Transmission and Transportation for Industry IS107.16 [description]
- Understanding Foreign Ownership, Control or Influence (FOCI) IS105.16 [description] [register]
- Visits and Meetings in the NISP IS105.16 [description] [register]

### Curricula

- Basic Industrial Security for the Government Security Specialist
- FSO Orientation for Non-Possessing Facilities IS020.CU [description]
- FSO Program Management for Possessing Facilities IS030.CU [description]

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- Business Structures – KMP: To Clear or Not to Clear [description] [GO >]
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- Industrial Security for Senior Management [description] [GO >]
- Procuring GSA Approved Containers Short [description] [GO >]
- You're a new FSO: Now What? [description] [GO >]

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- Personnel Security Management Office for Industry (PSMO-I) Introduction [GO >]
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# Industrial Security “Shorts”



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## Industrial Security Shorts

*These "shorts" are not intended for download.*

**BUSINESS STRUCTURES — KMP: TO CLEAR OR NOT TO CLEAR** [GO »](#)

Provides an opportunity to practice identifying Key Management Personnel (KMPs) in several different business structures.

**DD FORM 254** [GO »](#)

Provides a high level overview of the DD Form 254 as well as a review of the CDSE job aids and resources available to assist you in successfully completing and maintaining the form.

**HAND CARRIAGE PLAN: KNOWLEDGE REVIEW SHORT** [GO »](#)

Provides an opportunity to test knowledge by identifying the correct procedures when preparing and executing a transfer of classified information to a foreign entity under a Hand Carriage Plan after reviewing NISPOM Chapter 10 and the Multinational Industrial Security Working Group (MISWG) Document 1, Arrangements for the International Hand Carriage of Classified Documents, Equipment, and/or Components.

**INDUSTRIAL SECURITY FOR SENIOR MANAGEMENT** [GO »](#)

Provides senior management at cleared contractor facilities a basic understanding of the important role they play in the success of their security program. The short takes a brief look at the Facility Security Clearance (FCL) process, the importance of the Facility Security Officer (FSO) position and the role of the Senior Manager.

**NATIONAL INTEREST DETERMINATIONS (NID) PROCESS** [GO »](#)

Provides a high-level overview of the National Interest Determinations (NID) process. It explains what a NID is, when a NID is required, and who is responsible for preparing and identifying the need for the NID.

**PROCURING GSA APPROVED CONTAINERS** [GO»](#)

Delivers guidance on procuring new and/or used GSA security containers for the protection of classified information. In addition, includes best practices and a useful job aid that can be printed for future reference.

**YOU'RE A NEW FSO: NOW WHAT?** [GO »](#)

Introduces the CDSE Facility Security Officer (FSO) curriculum (minimum of 13 eLearning courses required for all FSOs). Provides newly appointed FSOs a high-level overview of their responsibilities and guides them to essential resources.



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*30 minutes or less to a better security program*

### Upcoming Security Webinars



#### COUNTERINTELLIGENCE

##### Targeting U.S. Contractors Overseas

Thursday, February 12, 2015

[Click here for 11:30 a.m. EST webinar details](#)

[Click here for 2:30 p.m. EST webinar details](#)

#### INDUSTRIAL SECURITY

##### Security Vulnerability

Thursday, March 12, 2015

[Click here for 11:30 a.m. EST webinar details](#)

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### Help/FAQs

- For technical issues please contact [webinar@dss.mil](mailto:webinar@dss.mil)
- Accessing [CDSE Webinars on CDSE.AdobeConnect.com](#)

Learn @ Lunch

### What are CDSE webinars?

A series of live web events to address topics and issues of interest to defense security professionals.

### Who can attend CDSE webinars?

Most CDSE webinars are open to anyone with an interest in DoD-related security issues and concerns.

Sign up for the webinar you are interested in to receive an invite with access information.

### How do I access CDSE webinars?

CDSE webinars are hosted on CDSE.AdobeConnect.com and can be accessed from any computer with an Internet connection and Adobe's Flash Player. For detailed access information see [CDSE Webinars on AdobeConnect](#).

### AskPSMO-I Webinars [GO»](#)

PSMO-I webinars discuss topics that currently effect Industry personnel security clearances, initiatives and procedural updates.



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| • <a href="#">ISSMs</a>                | • <a href="#">SAP</a>                               |
| • <a href="#">Insider Threat</a>       |   |



# Industrial Security Job Aids



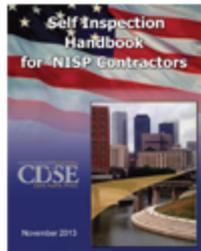
## Industrial Security Facilities Database (ISFD)

 *July 2014. 30 pages.* This job aid provides instructions on the use of the Industrial Security Facilities Database (ISFD) Facility Clearance Verification and Notification features which were enhanced during the most recent update to the database.



## DSS Electronic Facility Clearance (eFCL) User Guide

*September 2014.* This guide provides instructions on how to use the e-FCL Submission Site. The e-FCL Submission Site was developed for contractors to submit required facility clearance



## Self Inspection Handbook for NISP Contractors

 *November 2013. 73 pages.* The National Industrial Security Program Operating Manual (NISPOM) requires all participants in the National Industrial Security Program (NISP) to conduct their own security reviews (self-inspections). The Self-Inspection Handbook is designed as a job aid to assist in compliance with this requirement. It also suggests various techniques to help enhance the quality of self-inspections.

### **DD Form 254 Resources**

*September 2011.* To provide assistance for anyone who has been tasked with completing a DD254 Form, we've created a web-based course and a printable guide.

#### Original DD Form 254



#### Enhanced DD Form 254 with information pop-ups, dropdowns and an Item 13 continuation page



#### How to Complete DD Form 254 Performance Support Guide (Course)



#### A Guide for the Preparation of a DD Form 254





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# FSO Toolkit

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This toolkit will quickly point you to the resources you need to help you perform your role as a Facility Security Officer (FSO). Do you have a question about how to do something or need more information about a topic?

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