



DEPARTMENT OF THE AIR FORCE
 HQ WARNER ROBINS AIR LOGISTICS CENTER (AFMC)
 ROBINS AIR FORCE BASE GEORGIA

JUNE

MEMORANDUM FOR DISTRIBUTION LIST

25 MAR 96

FROM: WR-ALC/LNN

SUBJECT: Implementation of DOD Policy for Release of Intelligence Information to US Contractors (Ref. LNN Ltr.—28 Jun 95)

1. Request widest dissemination as possible to Equipment Specialists, Program Managers and/or Contract Monitors, and Security personnel involved with preparing DD Form 254's, and release of Intelligence Information to US Contractors.
2. Enclosed are updated instructions on the release of Intelligence information to US contractors. Inputs from the Director, Central Intelligence (DCI), as well as HQ USAF and HQ AFMC were used in the preparation of these instructions. The enclosed information replaces all previous guidance. These instructions should be used in preparing DD Form 254's or requesting release of intelligence information to US Contractors in accordance with the DD 254. Copies of all references may be obtained from this office.
3. If there are any questions please contact either LT. Dehaenen or myself at extension, 6- 4330.

Bonnie S. Gray

Bonnie S. Gray
 Senior Intelligence Officer
 Electronic Warfare Management Dir.

2 Attachments:

1. Release of SCI instructions
2. Release of Non-SCI instructions

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DATE IN: 4-1-96
 DATE OUT: 4-2-96

ATTACHMENT TO DD FORM 254 FOR CONTRACT NO: _____

NUMBER OF SCI BILLETS AUTHORIZED: _____

CONTRACT EXPIRATION DATE: _____

RELEASE OF SENSITIVE COMPARTMENTED INFORMATION (SCI)
INTELLIGENCE INFORMATION TO US CONTRACTORS

1. Requirements for access to SCI:

a. All SCI will be handled in accordance with special security requirements which will be furnished by the designated responsible security office.

b. SCI will not be released to contractor employees without specific release approval of the originator of the material as outlined in governing directives; based on prior approval and certification of "need-to-know" by the designated contractor.

c. For original contracts the Contractor Special Security Officer (CSSO) must forward names of contractor personnel requiring access to SCI through the contract monitor (CM) to the supporting SSO for approval. (The contract monitor is identified on the reverse side of the DD Form 254.) Upon receipt of written approval from the CM, the Contractor's company special security officer will submit request(s) for single scope background investigations in accordance with the National Industrial Security Program Operations Manual (NISPO), and/or any special instructions received from the SSO.

d. Inquiries pertaining to classification guidance on SCI will be directed through the CSSO to the responsible CM as indicated on the DD Form 254.

e. SCI furnished in support of this contract remains the property of the Department of Defense (DOD) department, agency, or command originator. Upon completion or cancellation of the contract, SCI furnished will be returned to the direct custody of the supporting SSO, or destroyed IAW instructions outlined by the CM.

f. SCI will be stored and maintained only in properly accredited facilities at the contractor location.

g. SCI will not be reproduced unless specifically authorized by the originator.

2. The contract monitor (CM) will:

a. Be DCID 1/14 eligible and have current access to SCI.

Atch 96-6B (FAR 4) Post to FAR 4.4 and DFARS 204.4 by circling the reference and noting in the margin: "70-41, atch 96-6B." Then file this atch behind the sups to FAR 4.

b. Review the SCI product for contract applicability and determine that the product is required by the contractor to complete contractual obligations. After the CM has reviewed the SCI product(s) for contract applicability and determined that the product is required by the contractor to complete obligations, the CM must request release from the originator through the WR-ALC Intelligence Division. Originator release authority is required on intelligence products including the types below:

- (1) Documents bearing the control markings of ORCON, PROPIN.
- (2) GAMMA controlled documents.
- (3) Any NSA/SPECIAL marked product.
- (4) Special categories as listed in USAF Intel 201-1, DOD S-5105.21-MI.

c. Prepare or review contractor billet/access requests to insure satisfactory justification (need-to-know) and completeness of required information.

d. Approve and coordinate visits by contractor employees when such visits are conducted as part of the contract effort.

e. Maintain records of all SCI material provided to the contractor in support of the contract effort. By 15 January (annually), provide the contractor, for inventory purposes with a complete list of all documents transferred by contract number, organizational control number, copy number, and document title.

f. Determine dissemination of SCI studies or materials originated or developed by the contractor.

g. Within 30 days after completion of the contract, provide written disposition instructions for all SCI material furnished to, or generated by, the contractor with an information copy to the supporting SSO.

h. Review and forward all contractor requests to process SCI electronically to the accrediting SSO for coordination through appropriate SCI channels.

i. Request for release of intelligence material to a contractor must be submitted through the contracting officer who, in turn, will process the request through the AFMC Contract Monitor (CM) and finally to the WR-ALC Intelligence Division for approval. This should be accomplished as soon as possible after the contract has been awarded. The request will be prepared on AFMC Form 210 and accompanied with a letter explaining the requirement and copies of the DD Form 254 and Statement of Work. The CM must include a statement certifying disclosure does not create an unfair competitive advantage for the contractor or a conflict of interest with the contractors obligation to protect information.

ATTACHMENT TO DD FORM 254 FOR CONTRACT NO: _____

CONTRACT EXPIRATION DATE: _____

RELEASE OF NON-SENSITIVE COMPARTMENTED INFORMATION (NON-SCI)
INTELLIGENCE INFORMATION TO US CONTRACTORS

1. Requirements for access to non-SCI:

a. All intelligence material released to the contractor remains the property of the US Government and may be withdrawn at any time. The contractor must maintain accountability for all classified intelligence released in his/her custody.

b. The contractor must not reproduce intelligence material without the written permission of the originating agency through the Intelligence Support Office (WR-ALC/LNN). If permission is granted, each copy shall be controlled in the same manner as the original.

c. The contractor must not destroy any intelligence material without advance approval or as specified by the contract monitor (CM). (EXCEPTION: Classified waste shall be destroyed as soon as practicable in accordance with the provisions of the Industrial Security Program.

d. The contractor must restrict access to only those individuals who possess the necessary security clearance and who are actually providing services under the contract with a valid need to know. Further dissemination to other contractors, subcontractors, other government agencies, private individuals or organizations is prohibited unless authorized in writing by the originating agency through the CM.

e. The contractor must ensure each employee having access to intelligence material is fully aware of the special security requirements for this material and shall maintain records in a manner that will permit the contractor to furnish, on demand, the names of individuals who have had access to this material in their custody.

f. Intelligence material must not be released to foreign nationals or immigrant aliens whether they are consultants, US contractors, or employees of the contractor and regardless of the level of their security clearance, except with advance written permission from the originator. Requests for release to foreign nationals shall be initially forwarded to the contract monitor and shall include:

- (1) A copy of the proposed disclosure.
- (2) Full justification reflecting the benefits to US interests.

(3) Name, nationality, particulars of clearance, and current access authorization of each proposed foreign national recipient.

g. Upon completion or termination of the classified contract, or sooner when the purpose of the release has been served, the contractor will return all classified intelligence (furnished or generated) to the source from which received unless retention or other disposition instructions are authorized in writing by the CM.

h. The contractor must designate an individual who is working on the contract as custodian. The designated custodian shall be responsible for reciting and accounting for all classified intelligence material received under this contract. This does not mean that the custodian must personally sign for all classified material. The inner wrapper of all classified material dispatched should be marked for the attention of a designated custodian and must not be opened by anyone not working directly on the contract.

i. Within 30 days after the final product is received and accepted by the procuring agency, classified intelligence materials released to or generated by the contractor, must be returned to the originating agency through the contract monitor unless written instructions authorizing destruction or retention are issued. Request to retain material shall be directed to the CM for this contract in writing and must clearly indicate the justification for retention and identity of the specific document to be retained.

j. Classification and regrading/declassification marking of documentation produced by the contractor shall be consistent with that applied to the information or documentation from which the new document was prepared. If a compilation of information or a complete analysis of a subject appears to require a security classification other than that of the source documentation, the contractor shall assign the tentative security classification and request instructions from the contract monitor. Pending final determination, the material shall be safeguarded as required for its assigned or proposed classification, whichever is higher, until the classification is changed or otherwise verified.

2. Intelligence material carries special markings. The following is a list of the authorized control markings of intelligence material:

a. "Dissemination and Extraction of Information Controlled by Originator (ORCON)." This marking is used, with a security classification, to enable a continuing knowledge and supervision by the originator of the use made of the information involved. This marking may be used on intelligence which clearly identifies, or would reasonably permit ready identification of an intelligence source or method which is particularly susceptible to countermeasures that would nullify or measurably reduce its effectiveness. This marking may not be used when an item or information will reasonably be protected by use of other markings specified herein, or by the application of the "need-to-know" principle and the safeguarding procedures of the security classification system.

b. "Not Releasable to Foreign Nationals (NOFORN)." This marking must be used with a security classification to identify intelligence that may not be released in any form

to foreign governments, foreign nationals, or non-US government originator, and then only when released in compliance with the National Disclosure Policy.

c. "Authorized for Release to (Name of Country(ies)/International Organization." The above is abbreviated "REL _____." This marking must be used when it is necessary to identify classified intelligence material the US government originator has predetermined to be releasable or has been released through established foreign disclosure channels to the indicated country(ies) or organization.

3. The following procedures govern the use of control markings.

a. Any recipient desiring to use intelligence in a manner contrary to restriction established by the control marking set forth above shall obtain the advance permission of the originating agency through the CM. Such permission applies only to the specific purposes agreed to by the originator and does not automatically apply to all recipients. Originators shall ensure that prompt consideration is given to recipients' requests in these regards, with particular attention to reviewing and editing, if necessary, sanitized or paraphrased versions to derive a text suitable for release subject to lesser or no control markings.

b. The control marking authorized above shall be shown on the title page, front cover, and other applicable pages of documents, incorporated in the text of electrical communications, shown on graphics, and associated (in full or abbreviated form) with data stored or processed in automatic data processing systems. The control marking also shall be indicated by parenthetical use of the marking abbreviations at the beginning or end of the appropriate portions. If the control marking applies to several or all portions, the document must be marked with a statement to this effect rather than marking each portion individually.

c. The control markings shall be individually assigned at the time of preparation of intelligence products and used in conjunction with security classifications and other marking specified by EO12958 and its implementing National Industrial Security Directives. The marking shall be carried forward to any new format in which the same information is incorporated including oral and visual presentations.

4. Request for release of intelligence material to a contractor must be submitted through the contracting officer who, in turn, will process the request through the AFMC Contract Monitor (CM) and finally to the WR-ALC Intelligence Division for approval. This should be accomplished as soon as possible after the contract has been awarded. The request will be prepared on AFMC Form 210 and accompanied with a letter explaining the requirement and copies of the DD Form 254 and Statement of Work. The CM must include a statement certifying disclosure does not create an unfair competitive advantage for the contractor.