## NISPPAC Members

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<th><strong>GOVERNMENT</strong></th>
<th><strong>INDUSTRY</strong></th>
<th><strong>MOU</strong></th>
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<tr>
<td>Mark Bradley, Chair</td>
<td>Michelle Sutphin, Spokesperson</td>
<td>Steve Kipp</td>
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<td>Michael Mahony</td>
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<td>Zudayyah L. Taylor-Dunn</td>
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<td>Denis Brady</td>
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<td>Valerie Kerben</td>
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*Katie Timmons, Industry Coordinator* | ViaSat
NDAA 2017 Section 1647

- Formation of an “Advisory Committee on Industrial Security and Industrial Base Policy” and will terminate on September 20, 2022.

- They will review and assess:
  - (A) the national industrial security program for cleared facilities and the protection of the information and networking systems of cleared defense contractors;
  - (B) policies and practices relating to physical security and installation access at installations of the Department of Defense;
  - (C) information security and cyber defense policies, practices, and reporting relating to the unclassified information and networking systems of defense contractors;
  - (D) policies, practices, regulations, and reporting relating to industrial base issues; and
  - (E) any other matters the Secretary determines to be appropriate;

- 5 government and 5 non-government entities
- Charter filed April 30, 2017 – not yet funded
DEFENSE POLICY ADVISORY COMMITTEE ON TECHNOLOGY

The Secretary of Defense shall form a committee of senior executives from United States firms in the national technology and industrial base to meet with the Secretary, the Secretaries of the military departments, and members of the Joint Chiefs of Staff to exchange information, including, as appropriate, classified information, on technology threats to the national security of the United States and on the emerging technologies from the national technology and industrial base that may become available to counter such threats in a timely manner.

The defense policy advisory committee on technology...shall meet...at least once annually in each of fiscal years 2018 through 2022.
NISPOM CC2

- NISPOM Conforming Change 2 was published May 18, 2016
- The DSS ISL for NISPOM CC2 published May 25, 2016
- During 2017, the DSS focus on Insider Threat programs will be on BASIC compliance. They will want to validate that we have a program, the ITPSO is designated and that we are conducting the required training.
- To date, there has been an 8% increase in incident reports!
- DSS will be looking for industry’s input on how they will start to assess effectiveness through a working group.
NISPOM Re-Write

- Full re-write is currently underway
- Different format and also a full review for revisions
- Coordination between government and industry is taking place at the NISPPAC level
- Currently have over 80 industry participants reviewing and providing comments to the NISPPAC
- Final meeting took place October 19, 2017
It’s Nice to Have a Goal…

IRTPA (2004)

Initial Secret and Top Secret

- Investigate (40 Days) → Adjudicate (20 Days)

PAC (2008)

Initial Secret and Top Secret

- Initiate (14 Days) → Investigate (40 Days) → Adjudicate (20 Days)
- Initiate (15 Days) → Investigate (150 Days) → Adjudicate (30 Days)

PAC/SecEA (2012)

Initial Secret

- Initiate (14 Days) → Investigate (40 Days) → Adjudicate (20 Days)
- Initiate (14 Days) → Investigate (60 Days) → Adjudicate (20 Days)

Initial Top Secret

- Initiate (14 Days) → Investigate (60 Days) → Adjudicate (20 Days)

Periodic Reinvestigations

- Initiate (15 Days) → Investigate (150 Days) → Adjudicate (30 Days)
Initial Top Secrets: 163 days to 501 days

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Top Secret PRs: 272 days to 596 days

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Goal
### Secret PRs: 68 days to 242 days

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**Goal**
Feeding the Meter at PSMO-I

e-QIP History and Events
FY17

Actual Inventory

Continuing Resolution #1
Continuing Resolution #2
The Move from Five to Six

- OUSD(I) Memo signed 1/17/2017: Extension of Periodic Reinvestigation Timelines to Address the Background Investigation Backlog
  - Tier 3 PRs (SECRET) will continue to be initiated 10 years after the date of the previous investigation.
  - Tier 5 PRs (TOP SECRET) will temporarily be initiated six years after the date of the previous investigation rather than five years. A re-evaluation of the 6 vs. 5 year Tier 5 PR will take place on 12/31/2017.
Air Force Gets Involved

- Air Force has over 90,000 backlogged investigations.
- Creating NBIB Hubs at Air Force installations to schedule and interview personnel.
NBIB Addressing the Backlog

- **Current State:**
  - 694,000 cases in queue
  - 224,000 are T3, 180,000 are T5
  - 70,000 are industry
  - Receive 50,000 cases a week and close 53,000 cases a week = 4.13 years to work the backlog at this rate

- **Industry met with NBIB to suggest several ideas to include:**
  - Allowing industry to provide pieces of their employment background checks
  - Allowing industry to decide which of their cases should be priority
  - Better communication with the FSOs when cases stall
  - Allowing industry access to eQIP by design so we can upload investigative information ourselves
  - Offering space to NBIB in highly populated areas so investigators can interview large populations at once
...the Secretary shall, in consultation with the Director of the Office of Personnel Management, provide for a phased transition from the conduct of such investigations by the National Background Investigations Bureau (NBIB) of the Office of Personnel Management to the conduct of such investigations by the Defense Security Service...not later than October 1, 2020...

This will include DSS taking over:

- All DOD clearance and suitability investigations (in addition to the current Continuous Evaluation mission for the DOD)
- The DOD CAF
- The Personnel Security Assurance Division of DMDC (JPAS/DISS)

Year 1: ~100,000 T3Rs
Year 2: T3s
Year 3: T5s and T5Rs
Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence...shall submit to the congressional intelligence committees a report that includes the following:

- An assessment of whether [the SF86] should be revised to account for the prospect of a holder of a security clearance becoming an insider threat.
- Recommendations to improve the background investigation process.
- A review of whether the schedule for processing security clearances included in section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 should be modified.
- Evaluation of Splitting the Background Investigation Function
- A policy and implementation plan for agencies and departments of the United States Government, as a part of the security clearance process, to accept automated records checks
- A policy and implementation plan for sharing information between and among agencies or departments of the United States and private entities that is relevant to decisions about granting or renewing security clearances.
HR 3210: SECRET Act of 2017
(Passed House)

- Securely Expediting Clearances Through Reporting Transparency Act of 2017
  - Requires NBIB to report on the backlog of security clearance investigations.
  - The NBIB must report on the process for conducting and adjudicating security clearance investigations for personnel in the Executive Office of the President.
  - The NBIB must report on the duplicative costs of implementing a plan for the Defense Security Service to conduct, after October 1, 2017, security investigations for Department of Defense (DOD) personnel whose investigations are adjudicated by DOD's Consolidated Adjudication Facility.
Fee for Service Study: June through Sept 2017

- The Study will:
  - Examine the feasibility of charging cleared contractors a fee-for-service, creating a working capital fund or using an industrial funding fee (IFF) from DoD acquisitions to DSS to fund contractor personnel security clearance investigations. It will include analysis of the impact on overall contract costs.
  - Take into account prior personnel security clearance investigation cost studies from the past 20 years.
- 29 small, medium and large cleared companies to be interviewed as part of the Study. NISPPAC industry representatives have submitted a white paper with our position.
Continuous Evaluation

- Continuous Evaluation program was initiated in 2014.
- Pilots underway for both Government and Industry: 1,100,000 CE cases tested by end of 2017. 300,000 will be industry. 8% of cases are triggering an alert. Alerts are scored as Low-Med-High. Low get adjudicated right away, Med have an adverse submitted, and High will necessitate an immediate call to the FSO.
- By September 30, 2017 each Executive Branch Agency must have enrolled at least 5% of Tier 5 clearances in CE.
- There is a possibility that CE will eventually replace the need for PRs. If approved, a full PR investigation would only take place if a CE check warranted the need.
- OUSD(I) Memo dated 12/19/2016: DSS will be responsible for the CE mission.
- NBIB Memo dated 2/3/2017: Offering agencies a CE SAC (Continuous Evaluation Special Agreement Check) for $45. Agencies will be responsible for adjudication.
Security Executive Agent Directives (SEADs)

- **SEAD 1: SECEA Authorities and Responsibilities**
  - Establishes the DNI as the Security Executive Agent for all policies concerning investigations, adjudications and ability to maintain eligibility.

- **SEAD 2: Use of Polygraphs**
  - Effective September 14, 2014.
  - Outlines procedures surrounding usage of polygraphs.

- **SEAD 5: Social Media usage in Investigations and Adjudications**
  - Effective May 12, 2016.
  - Allows agencies to use PUBLICALLY AVAILABLE information from social media to include in investigations and adjudications.

- **SEAD 6: Continuous Evaluation (IN DRAFT)**

- **SEAD 7: Reciprocity (IN DRAFT)**

All covered persons are to report “CI Concerns” on any other covered person. Previously was limited to only those within an organization. Change raises possible legal and other concerns.

“Failure to comply with reporting requirements...may result in administrative action that includes, but is not limited to revocation of national security eligibility.”

Pre-approval for foreign travel will be required for collateral clearance holders once it is incorporated into the new NISPOM. This will impose a new and large burden on industry and CSAs to handle the influx of reports that this will now generate.

DNI SEAD 3 TOOLKIT is online.

Collateral under the NISP will not have to comply until incorporated into NISPOM Conforming Change 3.

Other CSAs will issue their own implementation guidance.
Signed December 10, 2016 – Implementation June 8, 2017

Same 13 Guidelines as before. Requires all adjudicative agencies to use ONE STANDARD.

Incorporates the Bond Amendment which states:

- You are prohibited from a clearance if you are actively using illegal drugs or are addicted to drugs.

- You cannot obtain an SCI, SAP or access to RD if you have been convicted of a crime in the US and have served in prison longer than a year, are mentally incompetent or received a dishonorable discharge.

Passports will no longer need to be relinquished/destroyed for cases adjudicated after June 8th, but instead reports will need to be submitted when foreign travel occurs on the passport.

Need guidance from DSS on this issue.
DiT as of September 2017

Security Baseline
- Looks to Industry to identify assets
- Includes security controls currently implemented by Industry
- Provides for DSS review and establishes foundation for Tailored Security Program

Security Review
- Focuses on protection of assets identified in the Security Baseline
- Assesses facility security posture, considers threats, and identifies vulnerabilities
- Results in Summary Report and POA&M to develop the Tailored Security Program

Tailored Security Program (TSP)
- Builds on Security Baseline, Summary Report, POA&M, and recommendations developed during TSP
- Documents effectiveness of security controls
- Applies countermeasures to TSP based on threat

Continuous Monitoring
- Establishes recurring reviews of TSPs by DSS and Industry
- Provides recommendations from DSS based on changing threat environment
- Ensures security controls documented in TSP are still effective

Will TSP = Compliance? Who approves?
DSS System Updates: CURRENT STATE

E-FCL   Electronic Facility Clearance
eQIP   Electronic Questionnaire for Investigation Processing
SWFT   Secure Web Fingerprint Transmission
JPAS   Joint Personnel Adjudication System
NCAISS NISP Central Access Information Security System
ISFD   Industrial Security Facilities Database
OBMS   ODAA Business Management System
STEPP   Security, Training, Education and Professionalization Portal
DSS System Updates: FUTURE STATE

10/5/2017: Soft Launch
Full Deployment TBD

12/2016: Fully operational
4/2018: 40 agencies online

12/2016: Components
Q4 2017: Industry

4/2018: Industry

NBIS?

DMDC System
DSS System
OPM System

NCCS
(Replacing eFCL, ISFD)

NISS
(Replacing eQIP)

DISS
(Replacing JPAS)

eAPP
(Replacing eQIP)

eAPP
(Replacing eQIP)

eMass
(Replacing OBMS)

DSS System Updates: FUTURE STATE

DMDC System
DSS System
OPM System

NCCS  National Contract Classification System
NISS  National Industrial Security System
OBMS  ODAA Business Management System
DISS  Defense Information System for Security
JVS  Joint Verification System
STEPP  Security, Training, Education and Professionalization Portal
CUI Phased Implementation

CUI Approach for Contractor Environment

Until the formal process of establishing a single FAR clause takes place, the CUI requirements in NIST SP 800-171 may be referenced in federal contracts consistent with federal law and regulatory requirements.
DHS Proposes New CUI Rule

- On January 19, 2017, DHS proposed the Homeland Security Acquisition Regulation (HSAR); Safeguarding of Controlled Unclassified Information. Comments were due April 19, 2017.
- Contains 8 current CUI categories and adds 4 that are NOT listed in the NARA Registry:
  - Homeland Security Agreement Information
  - Homeland Security Enforcement Information
  - Operations Security Information
  - Personnel Security Information
- Does not explain HOW to protect this information and does not utilize NIST 800-171 which could require contractors to protect according to an entirely new set of standards.
Risk Management Framework (RMF)

- Implemented by NAO (NISP Authorization Office) – formerly ODAA
- Phase 1 (Standalones) started October 2016
- Phase 2 expected to start January 1, 2018 for all other systems
- DAAPM Update, Version 1.2 released on October 31, 2017
- Moving from OBMS to eMASS by Mid-2018
- 25% of Small Businesses are opting out of systems altogether.
Average Number of Days Per Region/Month

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ATOs Issued Per Region/Month = 656 Total ATOs

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Small Business in Crisis?

- How will this affect our supply chain?
- What will happen when DiT, CUI, & NIST 800-171 takes hold?
- We need better policies for consultants/security services companies to support these small companies.
- NISPPAC partnering with Security Consultant Industry Subcommittee of NCMS.
Industrial Security Timeline of Major Events

2016
- September: 32 CFR 2002 CUI, NBIB Established
- October: DFARS 252.204-7012
- November: RMF Standalone Tier 5 Replaces SSB
- December: DSS in Transition

2017
- January: Announced
- February: NCCS Established
- March: SEAD 3 & 4 Clearances Don’t Expire Memo
- April: OUSD Tier 5 Memo
- May: CE Transferred to DSS by DOD
- June: SAPCO Tier 3 & 5 Memo
- August: Advisory Committee on Industrial Security & Industrial Base Policy Formed
- September: New SF 86
- October: New DD-254
- November: eFCL & ISPD Shutdown
- December: NISS Implementation

2018
- January: RMF Implementation of LANWAN
- February: REAL ID for Domestic Flights
- March: eMASS Implementation
- April: DISS Implementation
- May: DSS in Transition Implementation
- June: NISPOM CC3
- July: SEAD 6
- August: SEAD 7
- September: CUI FAR
- October: PII FAR
- November: TBD
In April 1990, President George Bush directed the National Security Council to explore the creation of a single, integrated industrial security program that might result in cost savings and improved security protection.

Recommendations from representatives from government and industry were invited to participate in an initiative intended to create an integrated security framework. This initiative led to the creation of Executive Order (EO) 12826, which established the National Industrial Security Program (NISP), a single, integrated, cohesive security program to protect classified information and to preserve our Nation's economic and technological interests.

EO 12826 also established the National Industrial Security Program Policy Advisory Committee (NISPPAC). The NISPPAC is chaired by the Director of the Information Security Oversight Office (ISOO), who has the authority to appoint sixteen representatives from Executive Branch agencies and eight non-governmental members. The eight non-governmental members represent the approximately 13,000 cleared defense contractor organizations and serve four year terms.

This website serves as a way for industry to gain a better understanding of the non-governmental members involvement in order to help the community stay abreast of the ever-changing security posture.

To watch a short video on the history of the NISP, click here

Charter | Bylaws | Upcoming Public NISPPAC meeting
Questions?