

MINUTEMAN MINIMUM ESSENTIAL EMERGENCY
COMMUNICATIONS NETWORK (MEECN) PROGRAM (MMP)
UPGRADE

SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)

ATTACHMENT 2

CONTRACT SECURITY CLASSIFICATION SPECIFICATION,
DD FORM 254

SOLICITATION NO. FA8726-07-R-0018

**DEPARTMENT OF DEFENSE
CONTRACT SECURITY CLASSIFICATION SPECIFICATION**

*(The requirements of the DoD Industrial Security Manual apply
to all aspects of this effort)*

1. CLEARANCE AND SAFEGUARDING

a. FACILITY CLEARANCE REQUIRED

TOP SECRET

b. LEVEL OF SAFEGUARDING REQUIRED

TOP SECRET

2. THIS SPECIFICATION IS FOR: (X and complete as applicable)

a. PRIME CONTRACT NUMBER

X

b. SUBCONTRACT NUMBER

a. ORIGINAL (Complete date in all cases)

Date (YYMMDD)

b. REVISED (Supersedes
all previous specs)

Revision No.

Date (YYMMDD)

c. SOLICITATION OR OTHER NUMBER

FA8726-07-R-0018

Due Date (YYMMDD)

c. FINAL (Complete item 5 in all cases)

Date (YYMMDD)

4. IS THIS A FOLLOW-ON CONTRACT?

☐ YES

☒ NO

If Yes complete the following

Classified material received or generated under _____ (Preceding Contract Number) is transferred to this follow-on contract

5. IS THIS A FINAL DD FORM 254?

☐ YES

☒ NO

If Yes complete the following

In response to the contractor's request dated _____, retention of the identified classified material is authorized for the period of _____.

6. CONTRACTOR (Include Commercial and Government Entity (CAGE) Code)

a. NAME, ADDRESS, AND ZIP CODE

TBD

b. CAGE CODE

c. COGNIZANT SECURITY OFFICE (Name, Address, and Zip Code)

7. SUBCONTRACTOR

a. NAME, ADDRESS, AND ZIP CODE

b. CAGE CODE

c. COGNIZANT SECURITY OFFICES (Name, Address, and Zip Code)

8. ACTUAL PERFORMANCE

a. LOCATION

b. CAGE CODE

c. COGNIZANT SECURITY OFFICE (Name, Address, and Zip Code)

9. GENERAL IDENTIFICATION OF THIS PROCUREMENT

Minuteman MEECN Program (MMP) Upgrade. Modification to the MMP EHF Terminal to add AEHF system survivable, Extended Data Rate (XDR) capabilities and enabling technologies.

10. THIS CONTRACT WILL REQUIRE ACCESS TO:

YES

NO

a. COMMUNICATIONS SECURITY (COMSEC) INFORMATION

☒

b. RESTRICTED DATA

☒

c. CRITICAL NUCLEAR WEAPON DESIGN INFORMATION

☒

d. FORMERLY RESTRICTED DATA

☒

e. INTELLIGENCE INFORMATION

☒

(1) Sensitive Compartmented Information (SCI)

☒

(2) Non-SCI

☒

f. SPECIAL ACCESS INFORMATION

☒

g. NATO INFORMATION NATO SECRET

☒

h. FOREIGN GOVERNMENT INFORMATION

☒

i. LIMITED DISSEMINATION INFORMATION

☒

j. FOR OFFICIAL USE ONLY INFORMATION

☒

k. OTHER (Specify)

☒

Access to SIOP and NOFORN information

11. IN PERFORMING THIS CONTRACT, THE CONTRACTOR WILL:

YES

NO

a. HAVE ACCESS TO CLASSIFIED INFORMATION ONLY AT ANOTHER CONTRACTOR'S FACILITY OR A GOVERNMENT ACTIVITY

☐

☒

b. RECEIVE CLASSIFIED DOCUMENTS ONLY

☐

☒

c. RECEIVE AND GENERATE CLASSIFIED MATERIAL

☒

d. FABRICATE, MODIFY, OR STORE CLASSIFIED HARDWARE

☒

e. PERFORM SERVICES ONLY

☐

☒

f. HAVE ACCESS TO U.S. CLASSIFIED INFORMATION OUTSIDE THE U.S., PUERTO RICO, U.S. POSSESSIONS AND TRUST TERRITORIES

☐

☒

g. BE AUTHORIZED TO USE THE SERVICES OF DEFENSE TECHNICAL INFORMATION CENTER (DTIC) OR OTHER SECONDARY DISTRIBUTION CENTER

☒

h. REQUIRE A COMSEC ACCOUNT

☒

i. HAVE A TEMPEST REQUIREMENT

☒

j. HAVE OPERATIONS SECURITY (OPSEC) REQUIREMENTS

☒

k. BE AUTHORIZED TO USE THE DEFENSE COURIER SERVICE

☒

l. OTHER (Specify). Pre-contract award access to classified is required Prior to classified AIS processing, the contractor will ensure that computer systems comply with Chapter 8 of the NISPOM

☒

12. PUBLIC RELEASE. Any information (classified or unclassified) pertaining to this contract shall not be released for public dissemination except as provided by the industrial Security Manual or unless it has been approved for public release by appropriate U.S. Government authority. Proposed public release shall be submitted for approval prior to release

☐

Direct

☒

Through (Specify): ESC/PA, 9 Eglin Street, Hanscom AFB, MA 01731-2118.

Public release of Sensitive Compartmented Information (SCI) is not authorized.

to the Directorate for Freedom of Information and Security Review, Office of the Assistant Secretary of Defense (Public Affairs)* for review.
*In the case of non-DoD User Agencies, requests for disclosure shall be submitted to that agency.

13. SECURITY GUIDANCE. The security classification guidance needed for this effort is identified below. If any difficulty is encountered in applying this guidance or if any other contributing factor indicates a need for changes in this guidance, the contractor is authorized and encouraged to provide recommended changes: to challenge the guidance or classification assigned to any information or material furnished or generated under this contract; and to submit any questions for interpretation of this guidance to the official identified below. Pending final decision, the information involved shall be handled and protected at the highest level of classification assigned or recommended. (Fill in as appropriate for the classified effort. Attach, or forward under separate correspondence, any document/guides/extracts referenced herein. Add additional pages as needed to provide complete guidance.

The National Industrial Security Program Operating Manual (NISPOM), January 1995 and its supplements apply to all classified contract performance to this contract.

Ref Block 10a and Block 11h: COMSEC and/or cryptographic requirements apply. See attachment 1.

Ref Block 10b: Access to RD requires a final U. S. Government clearance at the appropriate level

Ref Block 10c: Access to CNWDI is required. Contractor personnel must possess a final U.S. Government clearance and be CNWDI briefed prior to access. CNWDI information is not releasable to contract employees who have been granted reciprocal security clearances.

Permission of the contracting activity is required prior to subcontracting CNWDI.

Ref Block 10d: Access to FRD requires a final U.S. Government clearance at the appropriate level.

Ref Block 10e(2): General Intelligence Material/Foreign Disclosure applies. See attachment 2.

Ref Block 10j: FOUO applies. See attachment 3.

Ref Block 10k: Access to Strategic Integrated Operation Plan and NOFORN data applies.

Ref Block 11c: Any classified information generated in the performance of this contract shall require the contractor to either apply derivative classification and markings consistent with the source material, or be governed by the MEECN Security Classification Guide, Milstar Security Protection Guide, and AEHF Security Classification Guide.

Ref Block 11d: Contractor shall provide adequate and approved storage for classified hardware or material to the level of TOP SECRET which because of size or quantity cannot be safeguarded in an approved storage container.

Ref Block 11i: EMSEC requirements apply. See attachment 4

Ref Block 11k: DCS address is HQ Defense Courier System, Building P-830, Fort George G. Meade, MD 20755-5370

Ref Block 11k: Notice of Government Security Clause applies. See attachment 5.

Program Manager: 1 Lt Peyton Smith

Phone: 781-377-9403

Fax: 781-377-9189

Coordination:

653d ELSG Security:

[Signature] 4 JUN 07

14. ADDITIONAL SECURITY REQUIREMENTS. Requirements, in addition to ISM requirements, are established for this contract. (If Yes, identify the pertinent contractual clauses in the contract document itself, or provide an appropriate statement which identifies the additional requirements. Provide a copy of the requirements to the cognizant security office. Use item 13 if additional space is needed.)

☒

Yes

☐

No

OPSEC Program Managers will provide critical information (CI) lists to the contractor under separate cover. Contractors working on Hanscom AFB will participate in the Installation OPSEC program. Contractors will receive periodic training along with military and government civilian counterparts.

15. INSPECTIONS. Elements of this contract are outside the inspection responsibility of the cognizant security office. (If Yes, explain and identify specific areas or elements carved out and the activity responsible for inspections. Use item 13 if additional space is needed.)

☐

Yes

☒

No

DSS is relieved of all industrial security inspections for contractor performance on the installation. Inspections will be conducted according to the Contractor Visitor Group Agreement established between the Contractor and Servicing Security Activity. The Servicing Security Activity at Hanscom AFB is 66th SFS/S5-SFP, 102 Barksdale Street, Hanscom AFB, MA 01731-1805.

16. CERTIFICATION AND SIGNATURE. Security requirements stated herein are complete and adequate for safeguarding the classified information to be released or generated under this classified effort. All questions shall be referred to the official named below.

a. TYPED NAME OF CERTIFYING OFFICIAL

b. TITLE

c. TELEPHONE (include Area Code)

MARIAH BLAINE

Contracting Officer

(781) 377-0971

d. ADDRESS (include ZIP Code)

5 Eglin St. Bldg. 1624.

Hanscom AFB, MA 01731

e. SIGNATURE

[Signature: Mariah D. Blaine]

17. REQUIRED DISTRIBUTION

☒

a. CONTRACTOR

☐

b. SUBCONTRACTOR

☒

c. COGNIZANT SECURITY OFFICE FOR PRIME AND SUBCONTRACTOR

☐

d. U.S. ACTIVITY RESPONSIBLE FOR OVERSEAS SECURITY ADMINISTRATION

☒

e. ADMINISTRATIVE CONTRACTING OFFICER

☐

f. OTHERS AS NECESSARY

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DD Form 254 - Block 13 Continued

Reference Blocks 10a and 11h attachment 1

Communications Security (COMSEC)

The National Security Agency Industrial COMSEC Manual (NSA Manual 90-1), shall apply to this contract. Access to classified COMSEC information shall be restricted to U.S. Citizens who: have been granted a final government security clearance; have a valid need-to-know (as defined in the National Industrial Security Program Operating Manual (NISPOM)); and have successfully completed a non-lifestyle, counterintelligence scope polygraph examination if required, administered in accordance with DoD or agency requirements and applicable laws. Non-U. S. Citizens, including immigrant aliens, are not eligible for access to classified COMSEC material or information. Access to unclassified, Controlled Cryptographic Items (CCI) will be limited to U. S. Citizens requiring such access. Within the U. S, Non-U.S. Citizens may perform building maintenance or custodial duties in contractor spaces containing installed CCI equipment, provided that equipment is not keyed. For access to certain types of COMSEC information, a CRYPTO access or COMSEC briefing may be required. Refer to Section II, paragraph 9, of NSA Manual 90-1 for briefings required under specific types of access. The Facility Security Officer (FSO) must provide a current listing of all individuals granted cryptographic access for each contract or Memorandum of Agreement (MOA) to the appropriate government Program Office.

Reference Block 10e(2) – Non-SCI attachment 2

1. Special Requirements for General and Foreign Intelligence Material. In addition to the requirements and controls for classified material, the Director, Central Intelligence, sets up additional requirements and controls for intelligence in the possession of contractors. The contractor must:

a. Maintain control of all intelligence materials released in his or her custody in accordance with DOD 5220.22-M, the National Industrial Security Program Operating Manual (NISPOM), January 1995, paragraphs 5-200, 201 and 202 for control. Contractor agrees that all intelligence material released, all reproductions and other material generated (including reproductions) are the property of the US Government.

b. Maintain control of all reproduced intelligence data in the same manner as the original.

c. Destroy intelligence materials in accordance with approved methods identified in the NISPOM.

d. Restrict access to those individuals with a valid need-to-know who are actually providing services under the contract. Further dissemination to other contractors, subcontractors, or other government agencies and private individuals or organization is prohibited unless authorized in writing by the Contracting Officer's Representative (COR) with prior approval of the Unit IN/SIO.

e. Not release intelligence data to foreign nationals or immigrant aliens, regardless of their security clearance or contract status, without advance written permission from the COR, Foreign Disclosure Policy Office and Unit IN/SIO.

f. Ensure that each employee having access to intelligence material is fully aware of the special security requirements for this material.

2. Returning Intelligence to the Air Force. Contractors must return intelligence data to the COR at the termination or completion of a contract unless the COR has provided written approval for the contractor to retain for an additional two years. If retention is required beyond the two year period, the contractor must again request and receive written retention authority from the COR. If the COR grants retention authority, the COR must provide a copy of the written approval to the Unit IN/SIO.

3. Release of Classified and Unclassified Intelligence Information to Foreign Government and Their Representatives. Any military activity or defense contractor receiving a request from a foreign government or a representative thereof, for intelligence data about this program, shall forward the request to the Unit IN/SIO for coordination with the cognizant foreign disclosure office. Information released under Foreign Military Sales (FMS) must comply with the specific USAF disclosure guidance issued for the specific FMS customer.

Reference Block 10j attachment 3

FOR OFFICIAL USE ONLY INFORMATION

1. FOR OFFICIAL USE ONLY INFORMATION:

- a. The "For Official Use Only" (FOUO) marking is assigned to information at the time of its creation by a DoD User Agency. It is not authorized as a substitute for a security classification marking but is used on official government information that may be withheld from the public under exemptions 2 through 9 of the Freedom of Information Act (FOIA).
- b. Use of the above markings does not mean that the information cannot be released to the public, only that it must be reviewed by the Government prior to its release to determine whether a significant and legitimate government purpose is served by withholding the information or portions of it.

2. IDENTIFICATION MARKINGS:

- a. An unclassified document containing FOUO information will be marked "For Official Use Only" at the bottom of the front cover (if any), on the first page, on each page containing FOUO information, on the back page, and on the outside of the back cover (if any). No portion markings will be shown.
- b. Within a classified document, an individual page that contains FOUO and classified information will be marked at the top and bottom with the highest security classification of information appearing on the page. If an individual portion contains FOUO information but no classified information, the portion will be marked, "FOUO."
- c. Any FOUO information released to a contractor by a DoD User Agency is required to be marked with the following statement prior to transfer:

This document contains information EXEMPT FROM MANDATORY DISCLOSURE under the FOIA. Exemptions _____ apply.

- d. Removal of the FOUO marking can only be accomplished by the originator or other competent authority. When the FOUO status is terminated, all known holders will be notified to the extent practical.

3. DISSEMINATION: Contractors may disseminate FOUO information to their employees and subcontractors who have a need for the information in connection with a classified contract.

4. STORAGE: During working hours, FOUO information shall be placed in an out-of-sight

location if the work area is accessible to persons who do not have a need for the information. During non-working hours, the information shall be stored to preclude unauthorized access. Filing such material with other unclassified records in unlocked files or desks, is adequate when internal building security is provided during non-working hours. When such internal security control is not exercised, locked buildings or rooms will provide adequate after-hours protection of the material; can be stored in locked receptacles such as file cabinets, desks, or bookcases.

5. **TRANSMISSION:** FOUO information may be sent via first-class mail or parcel post. Bulky shipments may be sent by fourth class mail. When sending FOUO records over facsimile equipment, use cover sheets and consider the location of the sending and receiving machines to ensure authorized personnel are available to receive FOUO information. Discussion of FOUO material on the telephone is authorized if necessary for the performance of the contract.

6. **DISPOSITION & DISCLOSURE:** When no longer needed, FOUO information may be disposed of by tearing each copy into pieces to preclude reconstructing, and placing it in a regular trash container. Unauthorized disclosure of FOUO information does not constitute a security violation but the releasing agency should be informed of any unauthorized disclosure. The unauthorized disclosure of FOUO information protected by the Privacy Act may result in criminal sanctions.

Reference Block 11i attachment 4

EMMISSIONS SECURITY REQUIREMENTS

1. The contractor shall ensure that compromising emanations (EMSEC) conditions related to this contract are minimized. The following procedures relate to classified processing conducted within the US. Within NATO countries, prime contractors and sub-contractors using contractor or NATO-controlled equipment will adhere to NATO requirements for EMSEC procedures. Contractors operating US-only equipment, whether in a NATO-controlled facility or US-controlled facility, must comply with Air Force EMSEC procedures as specified by the cognizant EMSEC Manager.

2. For contracts which require the processing of classified information in a contractor facility, the contractor shall provide countermeasure assessment data to the Contracting Officer (CO), in the form of an EMSEC Countermeasures Assessment Request (ESAR). The ESAR shall provide only specific responses to the data required in paragraphs 4.1 - 4.4, below. The contractor's standard security plan is unacceptable as a "stand-alone" ESAR response. The ESAR information will be used to complete an EMSEC Assessment and Countermeasures Review of the contractor's facility, to be performed by the government EMSEC authority using current Air Force EMSEC directives.

3. The contractor will not process classified information until an ESAR is contractually submitted, the EMSEC Assessment and Countermeasures Review have been conducted, and the system has been accredited/approved by DSS in accordance with Chapter 8 of the NISPOM.

3.1 Recognizing that contractors utilize Information Systems (IS) for multiple contracts, ESAR assessments compiled and approved for a particular system under one ESC contract are considered approved under other existing, follow-on and new ESC contracts for that particular contractor, as long as no changes are made to the security profile of the IS. The approval(s) should be kept on file for all affected contracts.

3.2 Any requests for interim approval to process classified information, until ESAR information can be submitted and EMSEC procedures completed, must be approved by DSS. Such interim approval should not exceed 90 days.

4. When any of the information required in paragraphs 4.1 - 4.4 below changes (such as equipment, location or classification level), the contractor shall notify the contracting officer of the changes so an EMSEC Reassessment may be accomplished. The contractor shall submit to the System Program Office (SPO) a new ESAR, specifically identifying the configuration changes. It should be submitted at least thirty (30) days before the changes are projected to occur. The provisions of Paragraph 3 apply to these changes.

4.1. SYSTEM DESCRIPTION

4.1.1 SYSTEM/FACILITY: Full name and address of company submitting request and RFP/contract number and duration. Also provide a brief title identifying the overall system or facility (e-g. XYZ Missile words processing system, ABC aircraft interactive graphics system, etc.).

4.1.2 LOCATION: Provide the following information for the facility where processing will take place.

4.1.2.1. Identify the address (including city, state, zip code, facility, building and room number) where the system or facility is located. If the address is the same as 4.1.1., only indicate the building and room number where the equipment is located.

4.1.2.2. Make, title, and attach drawings/maps showing the inspectable space, Controlled Access Areas, and floor layout of the RED and BLACK equipment. The floor layout of the equipment (RED and BLACK) should include the locations of any transmitters, receivers, and cryptographic equipment, as well as RED and BLACK IS. The drawing may be free hand. Include the scale (roughly). Indicate on the map surrounding buildings to a distance of 200 meters. Identify significant occupants, organizations, and activities in the buildings within 200 meters. If the U.S. Government or the contractor identified in 4.1.1 above does not wholly occupy the building containing the RED equipment, identify and indicate the location of those other occupants.

4.1.2.2.1. **Definition of Inspectable Space**—The three-dimensional space surrounding equipment that processes classified or sensitive information within which TEMPEST exploitation is not considered practical, or where legal authority to identify or remove a potential TEMPEST exploitation exists.

4.1.2.2.2. **Definition of Controlled Access Area (CAA)**—The complete building or facility area under direct physical control within which unauthorized persons are denied unrestricted access and are either escorted by authorized persons or are under continuous physical or electronic surveillance.

4.2. RESPONSIBLE PERSONNEL:

4.2.1 INFORMATION SYSTEM SECURITY MANAGER (ISSM): Provide name, title, office symbol and telephone number. Include the same for the Company Appointed EMSEC (TEMPEST) Authority, if applicable.

4.2.2 SYSTEM CUSTODIAN: If different from above, provide name, title, and office symbol and telephone number.

4.3. OPERATIONAL RISK:

4.3.1 Identify the highest level of classified processing.

4.3.2 Provide an estimate of the total classified processing volume in a given measure of time. The estimate can be in hours per day, pages of classified generated per week, or megabytes or gigabytes processed per day/month. (e.g., 2 hrs/day, 15 pages/mo, or 320 mb/week), **AND** a percentage of total material processed for each level (e.g. 10% Top Secret; 55% Secret; 20% Confidential; 15% unclassified).

4.4 EQUIPMENT:

4.4.1 List the manufacturer and exact model number, nomenclature (terminal, disk drive, video system, etc.) and quantity of each equipment involved in classified processing. Do not provide a complete inventory of all the company's processing equipment.

4.4.2 List any encryption equipment (i.e., STU-III, KG-84, KG-194, etc.), that might be used for processing and transmission of classified information.

4.4.3. List any transmitters/transceivers (SATCOM, RF, UHF/VHF, WLAN, etc.) operating in the

area (same room and adjacent rooms) of the equipment processing classified information, and indicate their approximate distance from the RED equipment.

DD Form 254 - Block 13 Continued

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5. EMSEC is applied on a case-by-case basis and further information may be required to complete the ESAR; should this be the case, the contractor shall provide this information to the contracting officer, PMO or SPO when requested.
6. Current requirements of AFI 33-214 Vol. 2 and AFI 33-203 dictate that the information used to complete the EMSEC Assessment and Countermeasures Review be validated annually. The ISSM shall certify annually to the PMO, SPO, or contracting officer that no changes to the information provided in paragraphs 4.1 through 4.4 of the ESAR have occurred.
7. The prime contractor shall ensure that this EMSEC requirement is provided to all subcontractors and/or vendors. The subcontractors and/or vendors shall comply with these EMSEC requirements when classified processing related to this contract is necessary. Subcontractors and/or vendors will provide their ESAR through the prime contractor to the government contracting officer.
8. WITH THE EXCEPTION OF 3.2 ABOVE, CLASSIFIED PROCESSING WILL NOT BE DONE UNTIL THE ABOVE PROCEDURES ARE COMPLIED WITH AND THE IS HAS BEEN ACREDITED BY THE DEFENSE SECURITY SERVICE (DSS).
9. If you have any questions feel free to contact Mr. Shawn Flaherty, Hanscom AFB EMSEC Manager.

Mailing Address:

66th MSG/SCB
50 Hamilton Street
Hanscom AFB, MA 01731-1621
E-Mail: Shawn.Flaherty@hanscom.af.mil

SIPRNet: Shawn.Flaherty@hanscom.af.mil
Phone Number: (781) 377-6883
Fax Number: (781) 377-0562
STU-III Number: (781) 377-3497

Reference Block 111 – Other attachment 5

AIR FORCE FAR SUPPLEMENT

PART 5352—SOLICITATION PROVISIONS AND CONTRACT CLAUSE

SUBPART 5352.2—TEXTS OF PROVISIONS AND CLAUSE

5352.204-9000 Notification of Government Security Activity and Visitor Group Security Agreements.

As prescribed in 5304.404-90, insert the following clause in solicitations and contracts:

NOTIFICATION OF GOVERNMENT SECURITY ACTIVITY (APR 2003)

(a) Thirty days before the date contractor operations will begin on base, the contractor shall notify the security police activity shown in the distribution block of the DD Form 254, DOD Contract Security Classification Specification, as to:

- (1) The name, address, and telephone number of this contract company's representative and designated alternate in the U.S. or overseas area, as appropriate;
- (2) The contract number and military contracting command;
- (3) The highest classification category of defense information to which contractor employees will have access;
- (4) The Air Force installations in the U.S. (in overseas areas, identify only the APO number(s)) where the contract work will be performed;
- (5) The date contractor operations will begin on base in the U.S. or in the overseas area;
- (6) The estimated completion date of operations on base in the U.S. or in the overseas area; and
- (7) Any changes to information previously provided under this clause.

This requirement is in addition to visit request procedures contained in DOD 5220.22-M, National Industrial Security Program Operating Manual.

(b) Prior to beginning operations involving classified information on an installation identified on the DD Form 254 where the contractor is not required to have a facility security clearance, the contractor shall enter into a security agreement (or understanding) with the installation commander to ensure that the contractor's security procedures are properly integrated with those of the installation. As a minimum, the agreement shall identify the security actions which will be performed:

- (1) By the installation for the contractor, such as providing storage and classified reproduction facilities, guard services, security forms, security inspections under DOD 5220.22-M, classified mail services, security badges, visitor control, and investigating security incidents; and
- (2) Jointly by the contractor and the installation, such as packaging and addressing classified transmittals, security checks, internal security controls, and implementing emergency procedures to protect classified material.

(End of clause)