![Newport News Shipbuilding, A Division of HII logo]

memo

To: All Valued Suppliers

From: Supplier Compliance

Date: 11/2/2022

Subject: Safeguarding Information Frequently Asked Questions (FAQs)

The purpose of this memo is to increase our supplier's awareness and understanding of the safeguarding requirements applicable to Controlled Unclassified Information (CUI) and Unclassified Naval Nuclear Propulsion Information (U-NNPI). Safeguarding these classes of information is a requirement of having access and **is critical to our national security**.

If after reviewing this document you still have questions, please reach out to NNSSupplierNotification@hii-nns.com.

1. **What types of information are distributed and received by Newport News Shipbuilding (NNS)?**
   Purchase Orders may involve the distribution and receiving of information that must be protected. The two most common forms of information distributed or received by NNS include Controlled Unclassified Information **(CUI)** and Unclassified Naval Nuclear Propulsion Information **(NNPI)**.

   To receive certain classes of CUI and U-NNPI, suppliers must have an active Joint Certification Program **(JCP)** certificate.

2. **What is the JCP?**
   The JCP certification establishes the eligibility of a supplier to receive technical data governed, in the U.S., by Department of Defense (DOD) Directive 5230.25 and, in Canada, by the Technical Data Control Regulations (TDCR).

3. **What is Controlled Unclassified Information (CUI)?**
   Any information that is created or possessed by the government or created by a supplier for **or** on behalf of the government **and** subject to safeguarding and / or dissemination controls stipulated by law, regulation, or government-wide policy.

4. **Is "NOFORN" a type of CUI?**
   No, NOFORN is a document marking (meaning **NO FOR**eign **N**ationals); it is not a Category of CUI. The **NOFORN** marking is used on several different Categories of information, most notably NNPI and selected intelligence/counterintelligence information. In many cases, the **NOFORN** marking is also required on certain classified documents. **NOFORN** is not a CUI Category in its own right.

5. **Who is authorized to have access to CUI?**
   Authorized individuals include U.S. citizens or U.S. nationals with a valid need-to-know **(NTK)** and resident aliens (green-card holders). Foreign nationals are prohibited from accessing CUI.

6. **Are supplier drawings or documents that transcribe some details from CUI documents also then considered CUI?**
   Yes. Any time information is copied or extracted from any document with a government security marking, the source document marking must be carried forward onto the new document, unless a trained Derivative Classifier has reviewed the new document and determined that it warrants a different marking (or no marking).

7. **Can CUI be received without a JCP?**
   It is dependent on the type of CUI. Not all types of CUI require a JCP. The most common NNS-handled CUI documents with obsolete markings that do not require a JCP, include:
   - Department of Defense (DOD) For Official Use Only (FOUO)
   - Department of Energy (DOE) Official Use Only (OUO)
   - Sensitive but Unclassified (SBU)

8. **What types of CUI require a JCP?**
   For NNS, the most common NNS-handled CUI document that require a JCP certification, include:
   - Controlled Technical Information (CUI // CTI),
   - Export Controlled Technical Information (CUI // EXPT),
   - Legacy markings: Distribution Statements B-F.

NOTE: This list should not be considered comprehensive. U-NNPI, as a sub-set of CUI, also requires a JCP. Additional CUI categories which require a JCP may be needed to support other NNS contracts. The CUI Registry website lists the requirements for each CUI category.

9. **What is Unclassified Naval Nuclear Propulsion Information (U-NNPI)?**
   U-NNPI is Unclassified Naval Nuclear Propulsion Information concerning the design, arrangement, development, manufacture, testing, operation, administration, training, maintenance, and repair of the propulsion plants of naval nuclear-powered ships and prototypes, including the associated shipboard and shore-based nuclear support facilities. **U-NNPI is a subset of CUI, but has stricter requirements for safeguarding.**

10. **What Naval Instruction provides guidance specific to the handling and protection of U-NNPI?**
    OPNAV Instruction N9210.3 **is the guidance document** applicable to all equipment, components, systems, documents, drawings, information technology (IT) media, audiovisual media, and any other media or items containing classified or unclassified NNPI.

DISCLAIMER: The information contained herein should be used to highlight specific guidance and should not be used as a replacement for reading the entire OPNAV Instruction N9210.3 to ensure compliance with **all** of the applicable requirements.

11. **Who is authorized to have access to NNPI?**
    Authorized individuals include U.S. citizens or U.S. nationals with a valid NTK. Before granting any dual citizen access to NNPI, NAVSEA 08 Cybersecurity must be notified. Resident aliens (green-card holders) are prohibited from accessing NNPI.

12. What is required for a supplier to receive NNPI from NNS?
Suppliers are approved to receive NNPI in hard copy format only, if they meet the below criteria:

- Valid **NTK**
- Active Joint Certification Program **(JCP)** – prior to submitting your application for a JCP, the Defense Logistics Agency (DLA) requires:
    - Valid Commercial and Government Entity **(CAGE)** / North Atlantic Treaty Organization (NATO) Commercial and Government Entity **(NCAGE)**,
    - Current and active System for Award Management **(SAM)** registration,
    - National Institute of Standards and Technology **(NIST)** assessment documented in the Supplier Performance Risk System **(SPRS)**
- <u>Annual</u> submission to NNS of a completed Form NN9540, Security Agreement for Protection of NNPI

13. How does a supplier receive electronic NNPI?
In addition to the criteria above, a supplier must have an "Authorization to Operate" (ATO) letter from NAVSEA 08 Cybersecurity. NNPI may not be processed or stored on a Supplier-owned computer system or portable electronic device without the NAVSEA 08 Cybersecurity issued ATO letter. If a supplier does not have the ATO letter from NAVSEA 08 Cybersecurity, hard copy NNPI cannot be received and then the documents loaded into a computer system or portable electronic device.

14. Who determines the NTK for both CUI and NNPI?
The person in possession of the materials determines the NTK of others.