



DEPARTMENT OF THE NAVY
CHIEF INFORMATION OFFICER
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WASHINGTON, DC 20350-1000

October 31, 2014

MEMORANDUM FOR DISTRIBUTION

Subj: STANDARDIZATION OF CLINGER-COHEN ACT CONFIRMATION

Ref: (a) DODI 5000.2 Defense Acquisition 26 Nov 13
(b) SECNAVINST 5000.2e Department Of The Navy Implementation And Operation Of The Defense Acquisition System And The Joint Capabilities Integration And Development System 1 Sept 11
(c) PDUSD(AT&L) Memorandum Improving Milestone Process Effectiveness 23 Jun 11

Encl: (1) Clinger-Cohen Act Confirmation Process
(2) Clinger-Cohen Act Confirmation Package contents

Subtitle III of Title 40, U.S.C., commonly known as the Clinger-Cohen Act (CCA) established a structured approach to information technology (IT) capital investment evaluation and decision making. The legislation, implemented in references (a) and (b), applies to all programs that acquire IT, including National Security Systems, at any Acquisition Category (ACAT) level. A Milestone Decision Authority may not initiate a program or program increment, or approve entry into any acquisition phase that requires formal milestone approval; and a Component may not release a Request for Proposals or award a contract for an acquisition phase until:

- a. The sponsoring Component or program manager has satisfied the applicable requirements of the CCA as shown in enclosure 1, table 9 of reference (a).
- b. The Component Chief Information Officer (CIO), or authorized designee, confirms CCA compliance.

Per reference (b), ACAT I and II CCA confirmation packages are to be submitted to DON CIO and DASN (C4I/IO/Space). The purpose of this Memorandum is to reduce and streamline the requirements for processing CCA Confirmation Packages. Effective immediately, those packages are to include the following documentation:

1. A completed CCA confirmation table indicating which page(s) and paragraph(s) of cited documents support CCA compliance.
2. Electronic copies of, or access to electronic copies of, documents cited in the CCA confirmation table.

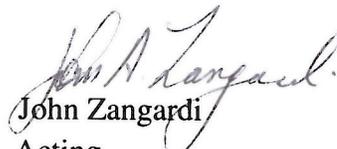
It is specifically not desired that any documentation, not otherwise necessary for program acquisition management and oversight, be created solely to support CCA confirmation. As provided in reference (c), "final draft" quality documents may be cited to support CCA confirmation if final approvals are in staffing. Further, in CCA packages submitted subsequent to a program's initial confirmation, elements that remain unchanged from a previous decision

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shall be so noted in the confirmation table (e.g., “unchanged from MS C”) and no additional documentation provided.

CCA confirmation authority for ACAT III, IV, Abbreviated Acquisition and Urgent Need Programs remains delegated to Command Information Officers, as indicated in reference (b). This guidance on minimization of CCA confirmation packages also applies to those lower level programs.

The point of contact for this memorandum is Geoff Sheffer, who can be reached at geoff.sheffer@navy.mil or 703-695-2008.


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CCA Confirmation Process

Prior to any scheduled program decision point and/or prior to contract award or Request for Proposal (RFP), the Program Manager (PM) shall prepare a package consisting of:

1. Approved CCA confirmation signature page.
2. Completed CCA table indicating citation paragraph(s) and document page number(s). For CCA table element 8 (consistency with the DoD Information Enterprise policies and architecture), DON programs shall also demonstrate compliance with the DON enterprise architecture (EA) through completion of the EA tab in DITPR-DON.
3. Electronic copies of documents cited in the table (or relevant excerpts), or access to those documents in a storage medium such as a Sharepoint portal provided, to DON CIO and DASN(C4I&S).

Package preparation may be coordinated with the respective command information officer (IO). The command IO for Marine Corps programs is the DON Deputy CIO (Marine Corps).

Except as detailed below, PMs shall forward CCA confirmation packages to their command IOs for concurring signatures. Command IOs shall review and then forward CCA compliance packages to DON CIO and DASN(C4I&S) concurrently, at least two months prior to any scheduled program decision point.

When a command IO is not in the direct reporting chain (i.e., a direct reporting program manager (DRPM) or a PM who reports to a program executive officer), a PM may choose to prepare and forward CCA confirmation packages directly to DON CIO and DASN(C4I&S) concurrently, two months prior to any scheduled program decision point.

DON CIO and DASN(C4I&S) shall review CCA compliance packages. If the documentation cited sufficiently demonstrates CCA compliance, the confirmation will be signed by DON CIO and DASN(C4I&S).

DON CIO will forward a copy of the signed CCA Confirmation package to the PM. For MDAPs and MAIS programs, copies will also be forwarded to DoD CIO.

Table 9. CCA Compliance

Actions Required to Comply With the CCA (Reference (q)) ¹	Approval Date	Pg #	Para #	Applicable Program Documentation ²
1. Make a determination that the acquisition supports core, priority functions of the department. ³				ICD, Information Systems ICD (IS ICD), Problem Statement for a DBS, or urgent need requirements documents
2. Establish outcome-based performance measures linked to strategic goals. ^{3,4}				ICD, IS ICD, CDD, CPD, AoA, APB, the Business Case for a DBS, or the Course of Action for an urgent need
3. Redesign the processes that the system supports to reduce costs, improve effectiveness and maximize the use of commercial off-the-shelf technology. ^{3,4}				ICD, IS ICD, Concept of Operations, AoA, Program Charter and Business Case (Business Process Reengineering) for a DBS, or the Course of Action for an urgent need
4. Determine that no private sector or government source can better support the function. ⁵				Acquisition Strategy, AoA, Business Case (AoA) for a DBS, or the Course of Action for an urgent need
5. Conduct an analysis of alternatives. ^{4,5}				AoA, Business Case (AoA) for a DBS, or the Course of Action for an urgent need
6. Conduct an economic analysis that includes a calculation of the return on investment; or for non-AIS programs, conduct a life-cycle cost estimate. ^{4,5}				Program Life-Cycle Cost Estimate, Program Economic Analysis for MAIS programs, Business Case (Economic Analysis) for a DBS, or Course of Action for an urgent need
7. Develop clearly established measures and accountability for program progress.				Acquisition Strategy, APB, TEMP, Business Case and Program Charter for a DBS, or Course of Action for an urgent need
8. Ensure that the acquisition is consistent with the DoD Information Enterprise policies and architecture, to include relevant standards.				CDD (Net Ready key performance parameter (NR-KPP)), CPD (NR-KPP), ISP, summarized in the Business Case (ISP) for a DBS, or a Course of Action and network connection documentation for an urgent need
9. Ensure that the program has a Cybersecurity Strategy that is consistent with DoD policies, standards and architectures, to include relevant standards. ⁴				Cybersecurity Strategy, Program Protection Plan, and Course of Action Cybersecurity Approach or network connection documentation for an urgent need
10. Ensure, to the maximum extent practicable, (1) modular contracting has been used, and (2) the program is being implemented in phased, successive increments, each of which meets part of the mission need and delivers measurable benefit, independent of future increments.				Acquisition Strategy, Business Case for a DBS, or Course of Action for an urgent need
11. Register Mission-Critical and Mission-Essential systems with the DoD CIO. ^{4,6}				DoD Information Technology Portfolio Repository

1. The applicability of actions required to comply with the CCA are dependent upon progress through the acquisition process. See Table 2 in this enclosure for submission requirements of applicable program documentation that correspond to the CCA compliance requirements.

2. The system documents/information cited are examples of the most likely but not the only references for the required information. If other references are more appropriate, they may be used in addition to or instead of those cited. Include page(s) and paragraph(s), where appropriate. Urgent needs that are not designated as MDAP or MAIS programs may cite the associated urgent needs documentation to demonstrate compliance with the CCA.

3. These requirements are presumed to be satisfied for weapons systems with embedded IT, for Command and Control Systems that are not themselves IT systems, and for urgent needs.

4. These actions are also required to comply with section 811 of Public Law 109-364, Reference (x).

5. For NSS, these requirements apply to the extent practicable (40 U.S.C. 11103, Reference (q), discusses NSS).

6. **Mission-Critical Information System.** A system that meets the definitions of "information system" and "national security system" in the Clinger-Cohen Act (Reference (q)), the loss of which would cause the stoppage of warfighter operations or direct mission support of warfighter operations. (The designation of mission-critical will be made by a DoD Component head, a Combatant Commander, or their designee. A financial management IT system will be considered a mission-critical IT system as defined by the USD(C).) A "Mission-Critical Information Technology System" has the same meaning as a "Mission-Critical Information System."

Mission-Essential Information System. A system that meets the definition of "information system" in 44 U.S.C. 3502 (Reference (bb)), that the acquiring DoD Component Head or designee determines is basic and necessary for the accomplishment of the organizational mission. (The designation of mission-essential will be made by a DoD Component head, a Combatant Commander, or their designee. A financial management IT system will be considered a mission-essential IT system as defined by the USD(C).) A "Mission-Essential Information Technology System" has the same meaning as a "Mission-Essential Information System." A "Mission-Essential Information Technology System" has the same meaning as a "Mission-Essential Information System."