

DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY 1000 NAVY PENTAGON WASHINGTON, D.C. 20350-1000

> SECNAVINST 5460.4 DON SAPCO 30 Oct 18

SECNAV INSTRUCTION 5460.4

From: Secretary of the Navy

Subj: MISSION, FUNCTIONS, AND TASKS OF THE DEPARTMENT OF THE

NAVY SPECIAL ACCESS PROGRAM CENTRAL OFFICE

Encl: (1) References

(2) Functions and Tasks

- 1. <u>Purpose</u>. To publish the mission, functions, tasks, and authorities of the Department of the Navy (DON) Special Access Program Central Office (SAPCO).
- 2. <u>Mission</u>. The Director, DON SAPCO is responsible for the execution, management, oversight, administration, security, information systems and networks, Information Assurance (IA), and records management for Special Access Programs (SAPs) under the responsibility of the DON. In addition, the Director, DON SAPCO is responsible for SAP coordination with external entities to include Congress via the Department of Defense (DoD) SAPCO, the Office of the Secretary of Defense, other DoD components, and other government agencies.
- 3. Applicability. This instruction applies to the Office of the Secretary of the Navy (SECNAV), the Chief of Naval Operations, the Commandant of the Marine Corps, and all U.S. Navy and U.S. Marine Corps installations, commands, activities, and field offices, and all other organizational entities within the DON.

4. Policy

- a. Reference (a) authorizes the establishment of SAPs to provide enhanced safeguarding of classified information.
- b. References (b) and (c) establish DoD policy for the execution, management, administration, and oversight of SAPs, including the requirement for each Cognizant Authority (CA) to establish a SAPCO with specified authorities and responsibilities.

5. Authorities and Responsibilities

- a. Authorities. The Director, DON SAPCO has the authority necessary to execute responsibilities of the Director, CA SAPCO for the DON, as directed by references (b) through (j) and as documented by this instruction. The Director, DON SAPCO, may delegate authorities as necessary, except where specifically noted otherwise.
- b. Responsibilities. The Director, DON SAPCO, is the senior official within the DON responsible for providing management, administration, and oversight of all DON SAPs and all DON coordination with non-DON SAPs, per references (b) through (f). The Director, DON SAPCO, is the official Point of Contact (POC) within the DoD for DON SAPs as well as the official POC for DON coordination involving non-DON SAPs, per references (b) through (j). The Director, DON SAPCO has the responsibilities of the Director, CA SAPCO for the DON, as directed by DoD and DON policy and as documented by this instruction. Per reference (d), the Director, DON SAPCO is dual-hatted as the Director, Special Programs (OPNAV N9SP), per reference (d).
- 6. Functions and Tasks. See enclosure (2).
- 7. <u>Action</u>. In accomplishing the assigned mission, the Director, DON SAPCO will ensure performance of the functions and tasks in enclosure (2). Send recommended changes via the chain of command to SECNAV.
- 8. <u>Status and Relationships</u>. As directed and defined by references (b) through (j) and as documented by this instruction.
- 9. <u>Supported and Supporting Activities</u>. As directed and defined by references (b) through (j) and as documented by this instruction.

10. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned according to the records disposition schedules

found on the Directives and Records Management Division (DRMD) portal page:

https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/SitePages/Ho me.aspx.

b. For questions concerning the management of collateral records or the records disposition schedules, please contact your local Records Manager or the DRMD program office.

THOMAS B. MODLY Under Secretary of the Navy

Distribution:

Electronic only, via Department of the Navy Issuances website http://doni.documentservices.dla.mil/.

REFERENCES

Ref: (a) E.O. 13526

- (b) DoD Directive 5205.07 of 1 July 2010
- (c) DoD Instruction 5205.11 of 6 February 2013
- (d) SECNAVINST S5460.3H
- (e) SECNAVINST 5430.7R
- (f) SECNAVINST 5000.34F
- (g) DoDM 5205.07 Volume 1, DoD Special Access Program
 (SAP) Security Manual: General Procedures of
 12 February 2018
- (h) DoDM 5205.07 Volume 2, Special Access Program (SAP) Security Manual: Personnel Security of 12 February 2018
- (i) DoDM 5205.07 Volume 3, Special Access Program (SAP)Security Manual: Physical Security of 12 February 2018
- (j) DoDM 5205.07 Volume 4, Special Access Program (SAP) Security Manual: Marking of 9 May 2018
- (k) DoDM 5220.22 Volume 3, National Industrial Security Program: Procedures for Government Activities Relating to Foreign Ownership, Control, or Influence (FOCI) of 17 April 2014
- (1) DoDM 5220.22, National Industrial Security Program of 18 May 2016
- (m) CJCSI 5123.01G of 12 February 2015
- (n) CJCSI 3120.08D of 28 January 2013
- (o) 10 U.S.C. §119
- (p) SECNAVINST 5000.2E
- (a) SECNAV M-5000.2
- (r) SECNAVINST 7510.7G
- (s) SECNAVINST 5430.57G
- (t) SECNAVINST 5430.107
- (u) DoD 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components That Affect United States Persons of 26 April 2017
- (v) DoDM 5240.01 Procedures Governing the Conduct of DoD Intelligence Activities of 8 August 2016
- (w) DoD Directive 5148.13 of 26 April 2017
- (x) SECNAVINST 3820.3E
- (y) SECNAVINST 5500.36
- (z) SECNAVINST 5510.37
- (aa) SECNAVINST 5430.25E
- (ab) SECNAVINST 5430.27D

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- (ac) SECNAVINST 5710.23D
- (ad) CJCSM 3150.29E of 16 August 2013
- (ae) E.O. 12333
- (af) SECNAVINST 5510.36A
- (ag) SECNAV M-5510.36
- (ah) SECNAVINST 5510.30B
- (ai) DoD CIO memo dated 16 September 2015 (NOTAL)
- (aj) SECNAVINST 5210.8E
- (ak) SECNAV M-5210.1
- (al) Interagency Security Classification Appeals Panel Memorandum, Approval of the Department of Defense Special Access Program File Series Exemption, of 30 April 2015 (NOTAL)

FUNCTIONS AND TASKS

- 1. SAP Coordination External to the DON. The Director, DON SAPCO is the official POC within the DoD for DON SAPs as well as the official POC for DON coordination involving non-DON SAPs, with exceptions only as directed by the SECNAV, per references (b) through (j) and references as noted below. These responsibilities include, but are not limited to:
- a. Coordinate SAP decisions requiring Deputy Secretary of Defense (DEPSECDEF) approval or notification. Decisions include, but are not limited to, the initiation and termination of all SAPs, recommendations to change the scope, category or type of SAPs, and changes in Oversight Authority (OA) and CA for SAPs;
- b. Coordinate the initiation, accomplishment of, and responses to inspections, audits, and investigations involving SAPs by agencies external to DON;
- c. Coordinate with the Office of the Secretary of Defense on decisions and recommendations on the international security portions of SAPs, per references (k) and (l);
- d. Participate in the DoD-level SAP governance structure and represent the DON at the SAP Senior Working Group and the Senior Review Group;
- e. Provide SAP security support for DoD Executive Committees;
 - f. Represent the DON at the DoD SAP Policy Working Group;
- g. Delineate roles and responsibilities in a Memorandum of Agreement (MOA), Memorandum of Understanding (MOU), or other interagency agreement when multiple CAs (DoD and/or non-DoD) are involved in a SAP activity. This authority cannot be delegated;
- h. Ensure SAPs meet, to the maximum extent possible, the requirements of Joint Staff (JS) instructions regarding the Joint Requirements Oversight Council, per reference (m);

- i. Coordinate with the JS for the apportionment of SAP capabilities, per reference (n); and
- j. Designate representative(s) to DoD level SAP working groups.
- 2. <u>SAP Governance and Oversight</u>. The Director, DON SAPCO is responsible for governance and oversight of SAPs, per references (a) through (j) and references as noted below. These responsibilities include, but are not limited to:
 - a. Perform oversight responsibilities within the DON;
- b. Establish and maintain policies and procedures for the oversight and review of DON SAPs;
- c. Develop procedures and promulgate policy and procedures related to the SAP annual report to Congress and prepare the DON input to the SAP annual report to Congress, per reference (o);
- d. Perform oversight coordination for all SAP aspects of the Planning, Programming, Budgeting, and Execution and Acquisition processes, per references (p) and (q);
- e. Coordinate with the Assistant Secretary of the Navy (Financial Management and Comptroller) to provide financial management and oversight of all DON SAPs including preparation and execution of budgets, fiscal oversight and cost, operating and capital property accounting; and ensure that internal controls are in place to facilitate the accurate reporting of financial information to Congress as it relates to SAPs, per reference (o);
- f. Coordinate with the Assistant Secretary of the Navy (Research, Development and Acquisition) (ASN (RD&A)) to provide oversight of acquisition matters for SAPs;
- g. Coordinate with the Naval Auditor General to develop a cadre of audit professionals to administer and execute internal audit requirements for SAPs, per reference (r);
- h. Coordinate with the Naval Inspector General (NAVIG) to develop a cadre of appropriately cleared and qualified personnel

to conduct investigations of reported irregularities of SAP execution and support as may be required, per reference (s);

- i. Coordinate the initiation, accomplishment of, and responses to inspections, audits and investigations involving SAPs by the NAVIG, Naval Audit Service, Naval Criminal Investigative Service (NCIS), and by external agencies, per references (r) through (t);
- j. Coordinate with the Director, NCIS, who is the senior official for criminal investigations and counterintelligence, to develop a cadre of appropriately cleared counterintelligence, fraud and investigative support for SAPs, per reference (t);
- k. Ensure appropriate review and compliance with Intelligence Oversight requirements for SAPs, per references (u) through (x);
- 1. Ensure adherence to the policies regarding SAP accesses and maintain a master list of all access authorizations for SAPs and of the individuals granted access;
- m. Participate in the DoD-level SAP governance structure and support SAP enterprise governance;
- n. Ensure implementation and adherence to SAP policies and procedures; and
- o. Participate in governance and oversight of security, insider threat, and cyber security governance within the DON, per references (y) and (z).
- 3. <u>SAP Management and Administration</u>. The Director, DON SAPCO is responsible for the management and administration of SAPs, per references (b) through (j) and references as noted below. These responsibilities include, but are not limited to:
- a. Develop and promulgate policies and procedures for the management and administration of SAPs;
- b. Approve or disapprove requests for the establishment or disestablishment of SAP compartments, SAP sub-compartments, and SAP projects. This authority cannot be delegated;

- c. Develop and promulgate procedures for SAP decisions requiring DEPSECDEF approval or notification to include the preparation of requisite documentation. Such decisions include, but are not limited to, the initiation and termination of all SAPs, recommendations to change the scope, category or type of SAPs, and changes in OA and CA for SAPs. This authority cannot be delegated;
- d. Develop and promulgate policies and procedures for the coordination and approval of SAP execution plans;
- e. Develop and promulgate policies and procedures for the apportionment of SAP capabilities;
- f. Develop and promulgate policies and procedures for the support of all SAPs, ensure that designated personnel are appropriately accessed to support SAPs, and coordinate within the DON to ensure SAP support;
- g. Coordinate with the General Counsel of the Navy to ensure the assignment of a cadre of attorneys to support SAPs and to ensure SAPs are conducted in the legal manner, per reference (aa);
- h. Coordinate with the Judge Advocate General of the Navy and the Staff Judge Advocate to the Commandant of the Marine Corps, as appropriate, to ensure SAPs are conducted in the legal manner, per reference (ab);
- i. Coordinate with ASN (RD&A) to provide acquisition management of SAPs including research and development, program management, and contracting; to ensure SAP acquisitions are executed as established in law, regulation, and policy; to ensure that integrated logistics support is established for new SAP systems and system upgrades to required levels of operational effectiveness and safety; and to develop a cadre of acquisition professionals that are appropriately certified and qualified for acquisition and procurement matters for SAPs;
- j. Coordinate with the Director, NCIS, who is the senior official for criminal investigations and counterintelligence, to ensure comprehensive counterintelligence, fraud, and investigative support for SAPs and to ensure the assignment of a

cadre of dedicated counterintelligence professionals in support of SAPs, per reference (t);

- k. Coordinate with the Director, Strategic Systems Program (DIRSSP) to ensure SAPs are reviewed for compliance with arms control treaties and agreements, per references (p), (q), and (ac);
- 1. Coordinate with the Director, Naval International Programs Office as required on SAP portions of international programs, per references (p) and (q);
- m. Coordinate with the United States Marine Corps (USMC) SAPCO regarding the conduct of SAPs, ensuring the USMC has a dedicated cadre of professionals to administer and execute SAP requirements for the USMC. Ensure that the USMC SAPCO has delegated authorities to execute SAP requirements for the USMC on behalf of the DON SAPCO as appropriate;
- n. Administer and control the assignment and use of code words and program identifiers, per reference (ad);
- o. Coordinate on the use of code words and nicknames for SAPs, per reference (ad);
- p. Develop and promulgate policies and procedures for SAPs entering into MOAs, MOUs, or other types of agreements;
- q. Ensure SAPs meet, to the maximum extent possible, the requirements of JS instructions regarding Integrated Joint Special Technical Operations (IJSTO), per reference (n);
- r. Assign SAPs transitioned into IJSTO a separate and unique nickname and program identifier, per references (n) and (ad); and
- s. Coordinate with Heads of Intelligence Community Elements within the DON, per reference (ae), on intelligence matters as applicable to SAPs.
- 4. <u>SAP Security</u>. The Director, DON SAPCO is responsible for the protection of SAPs and implementation of enhanced security requirements for SAPs, per references (a) through (j), (y), (ad)

through (ah), and references as noted below. These responsibilities include, but are not limited to:

- a. Develop and promulgate policies and procedures for the security of SAPs to include insider threat policy for SAPs;
- b. Designate a Director of Security and develop a dedicated cadre of security professionals to administer and execute SAP security requirements for assigned programs;
- c. Exercise Access Approval Authority for all SAPs for which the SECNAV is responsible and as delegated by agreement with non-DON entities;
- d. Maintain a master list of all access authorizations for SAPs and of the individuals granted access;
- e. Establish, manage, and execute approval authority for SAP access baselines. The authority to approve or disapprove access baselines cannot be delegated;
- f. Coordinate with DIRSSP to ensure SAPs are prepared to demonstrate compliance with arms control treaty verification activities without compromise of program information, per reference (ac);
- g. Develop and promulgate policies and procedures for the international security portions of SAPs;
- h. Review and make recommendations about the international security portions of SAPs and related program information and capabilities;
- i. Execute responsibilities for the security of SAPs to include the authority to accredit SAP facilities. Authority to grant waivers and exceptions for SAP security may not be delegated;
 - j. Execute roles and responsibilities for cyber security;
- k. Execute responsibilities for the review and approval of security classification guides; and

- 1. Execute responsibilities for the review and approval of program execution plans.
- 5. <u>SAP Information Systems and Information Assurance</u>. The Director, DON SAPCO is responsible for SAP information systems and networks and IA, per references (b) through (j) and references as noted below. These responsibilities include, but are not limited to:
- a. Manage and oversee SAP information systems and networks in the DON;
- b. Develop and promulgate policies and procedures for SAP information systems and networks in the DON;
- c. Develop and promulgate policies and procedures for IA for SAPs;
 - d. Execute roles and responsibilities for IA;
- e. Designate the DON SAP Chief Information Officer, per reference (ai);
- f. Designate representative(s) to the Senior SAP
 Information Technology Working Group, per reference (ai);
- g. Designate an Accrediting Official for SAP information systems and networks; and
- h. Utilize, where possible, SAP network and system capabilities identified by the DoD SAPCO as authoritative in support of SAP governance and facilitate security exchange of selected information between DoD Components in support of SAP enterprise governance.
- 6. <u>SAP Records Management</u>. The Director, DON SAPCO is responsible for complying with records management requirements for DON SAPs, per references (b) through (j) and (aj) through (al). These responsibilities include, but are not limited to:
- a. Develop and promulgate policies and procedures for DON SAP records management;

- b. Manage and oversee DON SAP records management systems and solutions;
- c. Develop and promulgate policies and procedures in compliance with responsibilities related to SAP file series exemption; and
- d. Coordinate with DON/Assistant for Administration as it relates to records management requirements for DON SAPs.