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Security

**COMMERCIAL ACTIVITY INFORMATION  
SECURITY SAFEGUARD PROCEDURES**

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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This operating instruction implements AFPDs 31-4, *Information Security*, 31-6, *Industrial Security*, 33-2, *Information Protection*, 36-29, *Military Standards*, AFIs 31-401, *Managing the Information Security Program*, 31-601, *Industrial Security Program Management*, 36-2909, *Professional and Unprofessional Relationships*, 38-203, *Air Force Commercial Activity Program*, 61-204, *Disseminating Scientific and Technical Information*, 63-124, *Performance-Based Service Contracts (PBSC)*, DoD 5500.7-R, *Joint Ethics*, and all Federal Acquisition Regulations, (FARs) affecting A-76 acquisition process. This instruction establishes command, supervisory and personal responsibilities and procedures for the proper handling, processing, and safeguarding of procurement sensitive information, which either supports or is generated by the A-76 Commercial Activity Program. It is applicable to all government personnel (military and DoD civilians) assigned or attached to 354th Fighter Wing. Failure to observe prohibitions and mandatory provisions of this directive in paragraphs **1.1.**, **1.1.4.3.**, **1.1.4.4.**, **5.**, **5.2.**, **6.1.**, 6.1.3., 7.3., 8.1., and 8.2. by military personnel is a violation of Article 92, *Uniform Code of Military Justice* (UCMJ). Violations by civilian employees may result in administrative disciplinary action without regard to otherwise applicable criminal or civil sanctions for violations of related laws.

**1. General.** . The purpose of this instruction is to provide a basis for unit personnel to anchor to and take appropriate actions in safeguarding procurement sensitive materials, while performing day-to-day duties, especially in the Commercial Activity Program area of responsibilities. For procedures or instructions not covered in this instruction contact the unit commander (or staff agency chief).

1.1. Responsibilities. All personnel have the obligation to protect procurement sensitive material/information, to ensure compliance with these procedures, and to report any deviations.

1.1.1. During periods when A-76, Commercial Activity studies are being conducted, the unit commander (or staff agency chief) will appoint (in writing) one primary and one alternate Commercial Activities Security Manager (CASM).

1.1.2. The CASM will incorporate Commercial Activity Information Security into the unit's existing information security program as outlined in DoD 5200.1-R, AFI 31-401, AFI 61-204, FAR clause 52.215-12, entitled "*Restriction on Disclosure and Use of Data*" and supplemental guidance thereto, to include overseeing and/or performing all associated duties and/or functions.

1.1.2.1. The CASM will develop and publish an Annual Security Education Training Plan for the unit. Once published the CASM, unit commander (or staff agency chief) or their designee will be responsible for conducting or ensuring all personnel receive Commercial Activity security training as outlined in the annual training plan. The CASM will be responsible for gathering educational material, audiovisual aids and monitoring training accomplishment. The annual training plan will be developed in accordance with DoD 5200.1-R and AFIs 31-401 and 61-204.

1.1.2.2. Personnel designated to administer or conduct Commercial Activity security training may modify the training material to meet the specific audience training needs. As a minimum, the unit's annual Commercial Activity security education training plan must meet the following requirements:

1.1.2.2.1. Schedule semi-annual training.

1.1.2.2.2. Identify specific Procurement Integrity Act (PIA) subjects and topics to be presented.

1.1.2.2.3. Identify personnel to make presentations.

1.1.2.2.4. Monitor training accomplishment.

1.1.2.2.5. Document training as required.

1.1.3. The Wing Commander will appoint members to a Competitive Sourcing Management Steering Group (CSMSG). It will include representatives from Military Personnel, Civilian Personnel, Finance, Contracting, Civil Engineering, Judge Advocate, local Union, Public Affairs, Manpower, and the Commander of any function under study. The Manpower & Organization Chief or their designated representative will chair the CSMSG.

1.1.3.1. The steering group will provide complete oversight to all wing level A-76, Commercial Activity Cost-Comparison studies, to include the safeguarding of all related procurement sensitive information. The steering group's mission includes three primary objectives: 1) Complete cost-comparison studies which are fair and equitable to the government and public sector; 2) Complete studies within the prescribed time constraints, normally 18 months for a single function; and 3) Facilitate a fully mission capable cost-comparison decision, contractor or a government bid, which provides a net savings in operating costs.

1.1.3.2. The CSMSG will oversee all requests for information related to any Wing A-76, Commercial Activity Cost-Comparison studies.

1.1.4. For each A-76 study a Business Requirement and Advisory Group (BRAG) is established. If the study is a full cost-comparison, the CSMSG will designate and assemble a Most-Efficient-Organization (MEO) team.

1.1.4.1. BRAG. The BRAG is a customer-focused multifunctional team instituted under the authority of the installation commander. The Contracting Squadron Commander establishes a BRAG to plan and manage any service contract throughout the life of the requirement. The

requirement may be for single function or may include multiple functions. Specific duties are spelled out in AFI 63-124, *Performance-Based Service Contracts (PBSC)*.

1.1.4.1.1. The BRAG is charged with developing a statement of work (SOW), a contracting document which captures all performance requirements and other constraints a potential contractor or an MEO must satisfy and/or perform under.

1.1.4.1.2. All BRAG members, including the Manpower & Organization representative, are considered to be participating personally & substantially in study's A-76 process.

1.1.4.2. MEO Team. The MEO team is also comprised of a management analyst(s) from Manpower and Organization, and however many technicians deemed appropriate or necessary from the functional area(s) under study.

1.1.4.2.1. The MEO team is charged with examining the current operations of the function under study, identifying improvement opportunities, and developing a new set of business strategies, methodologies and technologies, and assembling the government's bid for the service area under study.

1.1.4.2.2. All MEO team members, including the Manpower & Organization representative, are considered to be participating personally & substantially in a study's A-76 process..

1.1.4.3. The BRAG and MEO team will work completely independent of each other. Under no circumstances should any personnel participate in both the BRAG and the MEO Team. Beyond what the Contracting Squadron releases to other parties in the competition, the BRAG will not share any information, documents and/or materials with the MEO team.

1.1.4.4. The MEO team will be treated the same as other competing contractors from the public sector. No procurement sensitive information will be released to the MEO unless it is either first released from the Contracting Squadron to all bidders, or it is generated from the MEO team's internal discovery efforts.

1.1.5. The CSMSG will conduct itself in such a manner that it does not compromise the independence of the BRAG and MEO team efforts. In lieu of the MEO team participating in the CSMSG, commanders of the units constructing a MEO will conduct periodic meeting with their MEO team and their advisors to review their progress. The MEO team's concerns will be represented at the CSMSG by the affected unit commanders.

**2. Procurement Sensitive Information.** The following defines pools of information which may directly or indirectly affect an A-76 Commercial Activity study. The examples of information in these pools are not intended to be all inclusive, nor all restrictive. They are intended to help government employees to identify information which is potentially sensitive, and to initiate an appropriate query as to the precise disclosure restrictions. The burden for making such a query is placed on the individual coming in contact with the information described below.

2.1. Definition. Procurement Sensitive Information is any information generated by the federal government and/or its employees which relates to a federal government commercial activity. If this information is released or disclosed, a potential bidder would gain an unfair advantage over other competitors, and potentially compromise the government's bid. This includes, but is not limited to, information which describes past, present, and/or future operations or strategies thereof, solicitation

packages, government bids, government tools and their respective protocols (software, spreadsheets, instructions, audits, unit manning documents, working documents, etc.)

2.2. Solicitation Related Information. Solicitation Related Information is any information, in whole or part, which is under consideration to be part of a package, published by the Contracting Squadron, for the purposes of soliciting contract services. These packages include documents such as the Statement of Work (SOW) or Performance Work Statement (PWS), Quality Assurance Surveillance Plan (QASP), etc.

2.3. Government's Bid. Government bid information is comprised of either a price-out of current operations, or a Most Efficient Organization (MEO). Either package may be derived from working documents such as, Unit Manning Document (UMD), an operational audit, Customer-Output-Process-Input-Supplier (COPIS) assessment, etc. A MEO bid package is comprised of a Management Plan (Proposed MEO, Transition Plan, OMB Circular A-76, Cost Comparison Software Program (COMPARE) document, and supporting documents) and a Technical Performance Plan. Current operations bid packages, normally are comprised of a COMPARE document and supporting documents.

2.4. Information Classification. A premature release or disclosure of any procurement sensitive information described above can potentially compromise an A-76 cost-comparison. Such a compromise will give one party an unfair advantage over others in the competition for the service (contract) under study. Therefore, all procurement sensitive information will be marked as "Procurement Sensitive--For Official Use Only" at the point of generation.

**3. Procurement Integrity Act (PIA).** The Procurement Integrity Act referenced in DoD 5500.7-R, *Joint Ethics*, is a standard of conduct for which the government expects its officials (government and contractor, alike) to uphold while executing their role in a fair and open competition between the federal government and the public sector.

3.1. Applicability. Procurement Integrity applies to all parties directly affected by and/or directly involved with an A-76, Competitive Sourcing & Privatization study.

3.2. Violation. Release or disclosure of any procurement sensitive information not specifically authorized or inherent to releasing, developing, and/or responding to a contract solicitation or government bid for such, can be construed as a violation of the Procurement Integrity Act, and can be criminally punishable under the UCMJ or United States Code (U.S.C.)

3.3. Procurement Integrity briefings.

3.3.1. Personnel directly involved in a A-76, Competitive Sourcing & Privatization study are identified in paragraph 4.1. and its subparts. All personnel directly involved in a study will receive a PIA briefing from the local Judge Advocate's office, Unit Commander (or staff agency chief), and/or their supervisor. This briefing will be conducted within 5 days of the A-76 study announcement or within 5 days of appointment to either the BRAG or MEO Team. At the conclusion of the briefing, the member will read and sign a briefing certificate (**Attachment 1** and **Attachment 2**). Personnel uncertain about signing the certificate will be afforded council from the Judge Advocate office. The briefing certificate will then be signed by the briefer, and a copy placed in the member's personal information file, or another suitable personnel record, until the study has been completed. Copies of all PIA briefing certificates described herein, will also be maintained by the Manpower & Organization Office in the master study record file. Personnel without a signed

briefing certificate will be denied access to study information and/or activities. Personnel involved in studies will renew their PIA briefing semi-annually.

3.3.2. All unit personnel directly affected by an A-76, Competitive Sourcing & Privatization study, will receive a PIA briefing from the local Judge Advocate's office and/or Unit Commander (or staff agency chief), or their designee. This target group includes as a minimum, personnel holding positions identified under study. In order to maximize the safeguarding of procurement sensitive information, this group would ideally include all personnel assigned to the unit under study. The briefing will be conducted within 30 days of the announcement for each A-76 study. At the conclusion of the briefing, the unit commander (or staff agency chief) will publish a briefing certificate, attaching a list of all personnel in attendance. Personnel absent from the unit's briefing will be briefed within 15 days of their return. The briefing certificate (**Attachment 3**) will be signed by the briefer, and stored in the unit's files until the study's final award decision has been issued.

3.3.3. Debrief. Upon Permanent Change of Assignment (PCA), Permanent Change of Station (PCS), separation or retirement, all personnel affected by or involved in an ongoing A-76 study will receive a debriefing by their unit commander (or staff agency chief). During the debriefing the commander (or staff agency chief) will remind the member of the constraints placed on them by the PIA. For any questions the member might have which are not clearly addressed in the re-stated PIA, the member will be scheduled for an appointment with the Judge Advocate office. At the conclusion of the debrief, the member will sign the Debrief certificate at the bottom of their original briefing certificate. This document will be maintained by the unit until the study is completed.

3.3.4. The Manpower & Organization office will maintain a record copy of all study documents, in their final version as a minimum, to include as a minimum; Announcement letter, SOW, Management Plan (MEO, COMPARE, Transition Plan, Supporting Documents, and Technical Performance Plan), HAF 8001 letter, Authorization Change Requests, PIA Briefing Certificates. These records should be used in the commercial activity review conducted during the fifth and tenth year anniversaries for the MEO or contract. Consequently, these records will be maintained for a minimum period of 10 years, unless superseded by a subsequent study encompassing the same functional area(s).

**4. Access:** Procurement sensitive information will only be released to individuals (government) who possess a valid need-to-know, require the information in the performance of official A-76 duties, and have signed a Procurement Integrity Act briefing certificate on file.

4.1. During the onset of each A-76 study the CSMSG will develop a single document which identifies the assignment of personnel to the various working groups or positions which coordinate or influence actions affecting each study. At a minimum this document will include personnel or teams performing in the following capacities:

4.1.1. Manpower & Organization certifying official. (Chief, Manpower & Organization)\*

4.1.2. Contracting Personnel.\*

4.1.3. Unit Representative certifying the plausibility/acceptability of the MEO.\*

4.1.4. Business Requirements Acquisition Group (BRAG)

4.1.5. Source Selection team.

4.1.6. Independent Review Officer (IRO, 354 CPTF).\*

4.1.7. MAJCOM/XPM Project Manager.\*

4.1.8. CSMSG.\*

4.2. This list described above will be used to identify the personnel who may be included in the various A-76 study discussion forums. Groups or individuals from the list above coded with "\*" are the only persons or groups the MEO team can discuss their procurement sensitive information with. MEO discussions with the IRO before the independent review begins are not authorized. Contracting personnel are not authorized access to MEO data prior to bid opening. For contacts not addressed here, ask the unit commander (or staff agency chief) for clarification.

## 5. Safekeeping and Storage:

5.1. Procurement sensitive information and/or materials will be safeguarded at all times.

5.1.1. All procurement sensitive documents will be labeled "For Official Use Only--Procurement Sensitive." Computer removable storage devices will be marked with the same label.

5.1.2. Cover sheets labeled "For Official Use Only--Procurement Sensitive" will be attached to any procurement sensitive document or folder with multiple documents, to include when the documents are hand carried outside the designated work area.

5.1.3. All personnel having custody of procurement sensitive information must take every action necessary to ensure it is not inadvertently disclosed to unauthorized personnel. As a minimum: (Contract files shall be maintained in accordance with the FAR and its supplements)

5.1.3.1. Electronic files will be stored on removable storage disks or hard drives with restricted access. Electronic files will use password protection protocols where practical.

5.1.3.2. Documents and other materials being left unattended will be stored in a desk drawer or file cabinet.

5.1.3.3. E-mail traffic with attached documents will be minimized. E-mails will be encrypted where practical. When e-mails are sent, "FOUO" will be included in the message subject line.

5.1.4. End-of-Day Security Checks: At the end of each duty day a complete check of all areas where procurement sensitive information is stored, handled, or processed will be accomplished.

5.1.4.1. During the end-of-day security check the designated individual will inspect all equipment and areas, such as, desk tops, copier, computers and peripheral, etc., where procurement sensitive information is handled, stored, processed, or destroyed.

5.1.4.2. The clean desk policy will be in effect in these areas. This requires personnel storing, handling, and/or processing procurement sensitive information to ensure their desk tops are neat, without clutter. This standard enables personnel performing end-of-day security checks to quickly assess whether or not procurement sensitive information has been secured or not.

5.2. Continuous File Purging. To minimize procurement sensitive information on-hand, all personnel storing procurement sensitive information will oversee the continuous purging of administrative file systems.

5.3. Document destruction: Documents (published or working) which contain procurement sensitive information will be destroyed when superseded or deemed no longer needed. As a minimum, paper documents will be shredded and electronic files will be completely deleted and/or erased.

5.4. Reproduction. The number of copies of procurement sensitive information should be minimized. Reproduction of procurement sensitive information is restricted to personnel performing activities in support of the 354<sup>th</sup> Fighter Wing's Commercial Activity program. No procurement sensitive information will be copied for personal use or for purposes other than completing the assigned A-76 study.

5.5. Archived Files. At the conclusion of each study all relative documents will be converted to electronic form, and archived on a Compact Disk (CD) or similar storage device. Contract files shall include original copies of all documentation pertaining to the A-76 study.

## **6. Requests for information.**

6.1. Potential Contractors should coordinate all queries on on-going or future solicitations through the Contracting Squadron. Contractors may request supplemental information regarding current or future wing operations through established Freedom of Information Act (FOIA) channels.

6.2. The CSMSG will coordinate on all FOIA requests involving current or future A-76 Competitive Sourcing & Privatization studies. Information requested which is deemed procurement sensitive (and/or proprietary) by the steering group will be denied. Criteria for issuing a denial will be based on: the information requested will give a party an unfair advantage over other parties participating in the competition for the service (contract area) under study, and/or has the potential to compromise the government's bid for said service.

6.3. Routinely, the CSMSG receives information regarding future A-76 studies. This information is generally published in the form of a Strategic Sourcing Plan, however, new initiatives may be discussed in documents, not yet included in the plan. This information is For Official Use Only, and is restricted to personnel performing activities in support of the 354<sup>th</sup> Fighter Wing's Commercial Activity program, and safeguarded accordingly. Other than the information inherent to executing assigned A-76 duties, no information involving or affecting current or future A-76 studies will be released to any other party, without the expressed consent or direction of the CSMSG.

## **7. Security Incidents and Violations:**

7.1. Any person having knowledge of an actual or suspected compromise of procurement sensitive information shall immediately report the incident to the Judge Advocate and Contracting Squadron Commander.

7.2. Members provided offers of employment by a contractor or requested to provide source selection sensitive information to a contractor shall:

7.2.1. Immediately terminate any further conversations and/or discussions with the contractor.

7.2.2. Immediately report the contact to the Judge Advocate or Contracting Squadron Commander.

KENNETH M. DECUIR, Brig Gen, USAF  
Commander

**Attachment 1**

**ETHICS BRIEFING FOR EMPLOYEES INVOLVED IN AN A-76 COST STUDY**

The subject ethics briefing will include as a minimum, such topics as listed below.

1. Potential Roles
2. Procurement Integrity Act
  - 2.1. Four Basic Provisions
  - 2.2. Ban on Disclosing Procurement Information
  - 2.3. Ban on Obtaining Procurement Information
  - 2.4. Employment Contact Reporting Rule
  - 2.5. A-76 Cost Studies
    - 2.5.1. For procurements conducted under the procedures of OMB Circular A-76.
    - 2.5.2. Appearance of a Conflict of Interest (5 CFR 2635.502)
    - 2.5.3. One-Year Ban on Accepting Contractor Compensation
3. Definition of Source Selection Information (SSI)
4. Definition of Contractor Bid or Proposal Information (CBPI)
5. Disclosing or Obtaining SSI or CBPI -- Penalty for Individuals.
6. Disclosing or Obtaining SSI or CBPI -- Penalty for Individuals.
7. USC Title 18, Section 1905, Disclosure of Confidential Information generally.

**Attachment 2**

**CERTIFICATE (INDIVIDUAL PROCUREMENT INTEGRITY ACT BRIEFING)**

I hereby certify that I have read the above; that I am familiar with the law, directives, and policies governing the disclosure of information, related to the A-76 Cost Comparison Study of the 354th \_\_\_\_\_ at Eielson AFB, AK, and I will fully and completely observe those directives and will not disclose such information to any unauthorized person.

(Member) Print Name and Rank (or Grade)	Date	Signature

(Briefer) Print Name and Rank (or Grade)	Date	Signature

**CERTIFICATE (PROCUREMENT INTEGRITY ACT--INDIVIDUAL DEBRIEF)**

I hereby certify that I have re-read the above; that I am familiar with the law, directives, and policies governing the disclosure of information, related to the A-76 Cost Comparison Study of the 354th \_\_\_\_\_ at Eielson AFB, AK, and re-affirm I will fully and completely observe those directives and will not use for personal gain nor disclose such information to any unauthorized person.

(Member) Print Name and Rank (or Grade)	Date	Signature

(Briefer) Print Name and Rank (or Grade)	Date	Signature

**Attachment 3****CERTIFICATE (UNIT PROCUREMENT INTEGRITY ACT BRIEFING)**

I hereby certify that the attached list of personnel were briefed on the law, directives, and policies governing the disclosure of information, related to the A-76 Cost Comparison Study of the 354th \_\_\_\_\_ at Eielson AFB, AK, and have been directed to fully and completely observe those directives and not disclose such information to any unauthorized person.

(Briefer) Print Name and Rank (or Grade)	Date	Signature

**CERTIFICATE (PROCUREMENT INTEGRITY ACT-- INDIVIDUAL DEBRIEF)**

I hereby certify that I have read the above; that I am familiar with the law, directives, and policies governing the disclosure of information, related to the A-76 Cost Comparison Study of the 354th \_\_\_\_\_ at Eielson AFB, AK, and re-affirm I will fully and completely observe those directives and will not use for personal gain nor disclose such information to any unauthorized person.

(Member) Print Name and Rank (or Grade)	Date	Signature

(Briefer) Print Name and Rank (or Grade)	Date	Signature