

**BY ORDER OF THE SECRETARY  
OF THE AIR FORCE**

**DEPARTMENT OF THE AIR FORCE  
HANDBOOK 16-1406**



**16 MAY 2023**

**Operations Support**

**NATIONAL INTEREST  
DETERMINATIONS**

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This handbook provides guidance to assist Department of the Air Force (DAF) personnel with requesting, reviewing, and rendering a decision on National Interest Determinations (NIDs), for cleared contractors in the National Industrial Security Program (NISP). Nothing in this handbook will contradict requirements outlined in Federal, Department of Defense (DoD), or DAF policy, and it should be used in conjunction with DoDM 5220.32-Volumes 1 and 2, Directive Type Memorandum (DTM) 15-002, AFMAN 16-1406, and Code of Federal Regulations (CFR) Section 32, Part 117. This guidance applies to all DAF civilian employees, uniformed members of the Regular Air Force, the Air Force Reserve, the Air National Guard, the Civil Air Patrol (when conducting missions as the official Air Force Auxiliary), the U.S. Space Force (USSF), and contractor support personnel when stated in the contract or DD Form 254, "Department of Defense Contract Security Classification Specification," except where noted otherwise. Refer recommended changes and questions to the office of primary responsibility (OPR) listed above, using the DAF Form 847, Recommendation for change of publication, and route through the local information protection office. This publication may be supplemented at any level, but all supplements will be routed to the OPR prior to certification and approval.

### **SUMMARY OF CHANGES**

This document has been revised and should be completely reviewed. Revisions were made to simplify guidance, align with Defense Counterintelligence and Security Agency (DCSA) procedures, clarify roles/responsibilities, update important points of contact, and incorporate of new guidance from the Under Secretary of Defense for Intelligence and Security (OUSD(I&S)),

which removed the NID requirement for covered National Technology and Industrial Base (NTIB) entities.

1.	Overview.....	3
Figure 1.	List of Controlling Entities. ....	4
Figure 2.	NID Decision Authorities. ....	4
2.	Roles and Responsibilities:.....	4
3.	NID Process. ....	6
Figure 3.	NID Requirement Decision Chart.....	7
Figure 4.	General Process.....	11
<b>Attachment 1—GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION</b>		<b>12</b>
<b>Attachment 2—SAMPLE NID PACKAGE DOCUMENTS</b>		<b>13</b>

**1. Overview.** In today's global environment, foreign investment plays an important role in maintaining the economic vitality of the U.S. industrial base. Therefore, it is the policy of the U.S. Government to allow foreign investment consistent with national security interests. To mitigate the risk to national security interests associated with foreign investment, the government must determine whether allowing an entity access to proscribed information, as defined in DoDM 5220.32-Vol 2, *National Industrial Security Program: Procedures for Government Activities Relating to Foreign Ownership, Control, or Influence (FOCI)*, is consistent with national security interests of the U.S.

1.1. This decision is referred to as a "National Interest Determination" or "NID", and is required when:

1.1.1. A contractor entity requires access to proscribed information under a legitimate U.S. government contract;

1.1.2. The contractor entity is determined to be under Foreign Ownership, Control, or Influence (FOCI), as outlined in Title 32 Code of Federal Regulations, Part 2004, *National Industrial Security Program*, and DoDM 5220.32-Vol 2; and

1.1.3. The contractor entity operates under a Special Security Agreement (SSA).

1.2. Other Considerations:

1.2.1. All NID requests must be initiated by the government. A covered contractor may assist in the preparation of the request, but the government is not obligated to pursue a NID if access to the proscribed information is not justified. Reference section 3.5.6. for information on alternative measures if a NID is denied.

1.2.2. A NID can be program, project, or contract-specific, and a separate NID is not required for each contract or task order under a program or project.

1.2.3. Concurrence by Controlling Entities, listed in [Figure 1](#), is required for their respective information before Decision Authorities, listed in [Figure 2](#), can render final NID Decisions.

1.2.4. One NID Request Package can be completed when a covered contractor requires access to multiple types of proscribed information, but separate request memorandums must be included for each applicable Controlling Entity.

1.2.5. A NID does not authorize disclosure of classified information to a foreign government, a non-U.S. citizen, or a non-U.S. entity.

1.2.6. A NID is not required when a covered contractor's ultimate parent company and any intermediate parent companies are considered part of the National Technology and Industrial Base (NTIB). Reference OUSD(I&S) Memorandum, *Implementation of Section 842, Public Law 115-232, "Removal of National Interest Determination Requirements for Certain Entities*, for more information.

**Figure 1. List of Controlling Entities.**

<u>Proscribed Information</u>	<u>Controlling Entity</u>
TOP SECRET	Original Classification Authority (OCA)
Restricted Data	Department of Energy (DOE)
COMSEC	National Security Agency (NSA)
Sensitive Compartmented Information	Office of the Director of National Intelligence (ODNI)
Special Access Program	DAF Special Access Program Central Office (SAPCO)

**Figure 2. NID Decision Authorities.**

<u>Proscribed Information</u>	<u>Decision Authority</u>
TOP SECRET	Program Executive Officer (PEO) / Technology Executive Officer (TEO)
Restricted Data	PEO/TEO
COMSEC	PEO/TEO
Sensitive Compartmented Information	ODNI
Special Access Program	DAF SAPCO

**2. Roles and Responsibilities:**

## 2.1. Defense Counterintelligence and Security Agency (DCSA):

2.1.1. See responsibilities outlined in Ref (d).

2.1.2. Coordinates NIDs on behalf of DoD entities with necessary Controlling Entities.

## 2.2. Office of the Director of National Intelligence (ODNI):

2.2.1. Controlling Entity for Sensitive Compartmented Information (SCI).

2.2.2. Makes NID decision for SCI NIDs.

## 2.3. Department of Energy (DOE):

2.3.1. Controlling Entity for Restricted Data.

2.3.2. Provides concurrence or non-concurrence for NIDs involving Restricted Data.

## 2.4. National Security Agency (NSA):

2.4.1. Controlling Entity for COMSEC.

- 2.4.2. Provides concurrence or non-concurrence for NIDs involving COMSEC information.
- 2.5. Director, Security, Special Programs Oversight, and Information Protection (SAF/AAZ):
  - 2.5.1. Serves as the DAF SAPCO.
  - 2.5.2. Makes the NID decision for SAP NIDs, in accordance with (IAW) Ref (f).
- 2.6. Air Force Office of Special Investigations, Office of Special Projects (AFOSI/PJ):
  - 2.6.1. Coordinates with PSO on SAP NID Request Packages.
  - 2.6.2. Provides DAF SAPCO with NID decision recommendation for SAP NIDs.
- 2.7. AF/A2/6:
  - 2.7.1. Validates USAF SCI NIDs.
  - 2.7.2. Provides NID approval recommendation for USAF SCI NIDs.
- 2.8. SF/S2:
  - 2.8.1. Validates USSF SCI NIDs.
  - 2.8.2. Provides NID approval recommendations for USSF SCI NIDs.
- 2.9. Program Executive Officer (PEO). Executes the following activities for major system and non-major system acquisition programs:
  - 2.9.1. Oversees the preparation of the NID Request Package.
  - 2.9.2. Endorses the NID Request Package.
  - 2.9.3. Makes the NID decision for TS, RD, and COMSEC NIDs.
- 2.10. Technology Executive Officer (TEO):
  - 2.10.1. Executes activities of PEO identified in [paragraph 2.9](#) for Air Force Research Laboratory (AFRL) NIDs.
- 2.11. Government Contracting Activity (GCA):
  - 2.11.1. Multi-functional team comprised of PM, CO/COR, SSO PSO; defined in 32 CFR Part 117 as, “the element of an agency that the agency head has designated and delegated broad authority regarding acquisition functions.”
  - 2.11.2. Collaboratively processes DAF NID Request Packages.
  - 2.11.3. Provides expertise and guidance to PEO/TEO, AF/A2/6, SF/S2, and DAF SAPCO.
  - 2.11.4. Works with DCSA to coordinate NID Request Package with appropriate Controlling Entities.
- 2.12. Program Manager (PM):
  - 2.12.1. Leads NID request process, in coordination with Contracting Officer (CO)/Contracting Officer’s Representative (COR).
  - 2.12.2. Identifies when NIDs are required.
  - 2.12.3. Develops NID Request Packages.

- 2.12.4. Coordinates NID Request Packages.
- 2.12.5. Modifies requirements if needed when a NID is denied.
- 2.13. CO or COR:
  - 2.13.1. Supports PM in NID process.
  - 2.13.2. Coordinates on NID Request Packages.
  - 2.13.3. Modifies contract, as needed, when a NID is denied.
  - 2.13.4. Notifies contractor of final NID decision.
- 2.14. Program Security Officer (PSO):
  - 2.14.1. Collaborates with PM and CO/COR to develop SAP NID Request Packages.
  - 2.14.2. Coordinates SAP NID Request Packages with AFOSI/PJ.
- 2.15. Special Security Officer (SSO):
  - 2.15.1. Collaborates with PM and CO to develop SCI NID Request Packages.
  - 2.15.2. Coordinates SCI NID Request Packages with AF/A2/6 or SF/S2, as appropriate.
- 2.16. Information Protection Office (IPO):
  - 2.16.1. Provide security requirement support to PM/CO, as needed.
- 2.17. Original Classification Authority (OCA):
  - 2.17.1. Collaborates with PEOs/TEOs, PMs, and COs/CORs to develop TOP SECRET and SAP NID Request packages.
  - 2.17.2. Coordinates TOP SECRET and SAP NID Request packages with appropriate NID Decision Authority, as identified in [Figure 2](#).

**3. NID Process.** In general, DCSA is responsible for coordinating NID requests with all involved parties, including Controlling Entities. However, NID requests must be initiated by the government contracting activity (GCA) and involve significant collaboration and coordination to provide Controlling Entities and Decision Authorities the information required to make a risk informed NID decision. The NID coordination and approval process is comprised of six major steps: Step 1-Determine if a NID is required; Step 2-Prepare and coordinate the NID Request Package; Step 3-Endorse NID Request Package; Step 4-Coordinate with DCSA and Controlling Entities (if applicable); Step 5-Make NID decision; and Step 6-Notify Stakeholders. Paragraphs [3.1-3.6](#) outline the NID coordination and approval process, and [Figure 4](#) provides a visual representation of the general process.

3.1. STEP 1-Determine if a NID is required.

3.1.1. The PM, in collaboration with the CO/COR, IPO, SSO, and PSO, must identify when a NID is required for contactors working on their contracts or programs. This is accomplished by determining if:

- 3.1.1.1. The contract or program requires access to proscribed information pre- or post-award; review requirements in the contract and DD Form 254;

3.1.1.2. The company holds a facility clearance (FCL) at the required level; validate company information in the National Industrial Security System (NISS);

3.1.1.3. The company operates under an SSA to mitigate the FOCI; coordinate with DCSA; and

3.1.1.4. The company is owned by an NTIB entity, as outlined in Ref (k); coordinate with DCSA.

3.1.2. A NID is not required:

3.1.2.1. If the contractor does not require access to proscribed information;

3.1.2.2. If DCSA determines the contractor is not operating under FOCI;

3.1.2.3. If the contractor is under FOCI and operates under a Proxy Agreement or Voting Trust Agreement;

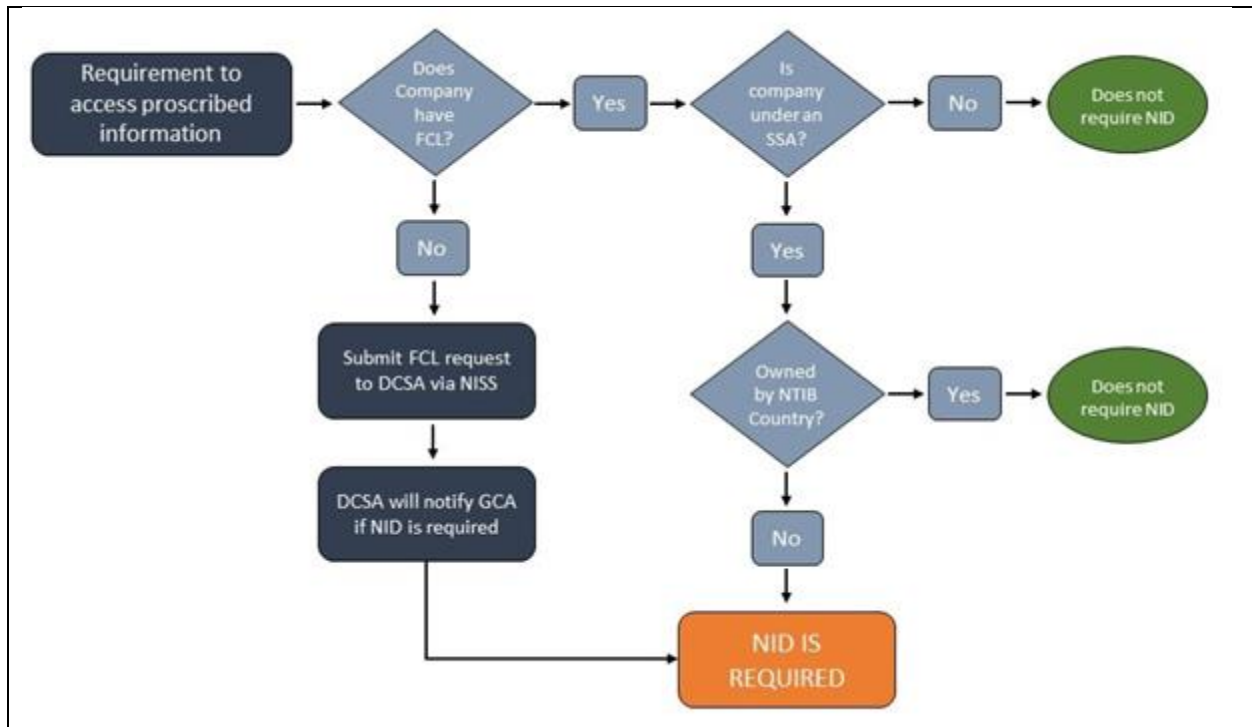
3.1.2.4. If the contractor is under the ownership of entity/ies from an NTIB country;

3.1.2.5. For each individual contract or task order under a program or project when the program or project already has an approved NID; or

3.1.2.6. When a new task/delivery order is issued to continue the performance of the work under a contract with an approved NID, if there are no changes in requirements or scope. However, if a new task/delivery order requires access to proscribed information for work that was not part of the original contract, then a new NID request must be submitted.

3.1.3. **Figure 3** provides a visual workflow of the NID determination process.

**Figure 3. NID Requirement Decision Chart.**



### 3.2. STEP 2-Prepare the NID Request Package:

3.2.1. When a NID is required the PM, in collaboration with the CO/COR, prepares the NID Request package.

3.2.1.1. The request should provide as much clarity as possible concerning the type of information and scope that is required for the contract/program/project.

3.2.1.2. The PM/CO must also collaborate with the SSO and PSO when SCI and SAP accesses are required, respectively.

3.2.2. All NID Request Packages must include:

3.2.2.1. NID Justification:

3.2.2.1.1. Company Information.

3.2.2.1.2. Ownership Information.

3.2.2.1.3. Type of NID requested (i.e., contract/program/project).

3.2.2.1.4. Procurement and performance requirements.

3.2.2.1.5. Alternate means of satisfying requirements (if any).

3.2.2.1.6. Justification/rationale for advancement of national security interests.

3.2.2.1.7. Point of contact information for individual knowledgeable of request and requirements.

3.2.2.2. A NID Request Letter to Controlling Entities for each category of proscribed information listed on the DD Form 254.

3.2.2.3. Statement of work, performance work statement, Cooperative Research and Development Agreement (CRADA), or similar contract/agreement document.

3.2.2.4. Copy of current Prime Contract DD Form 254.

3.2.2.5. Copy of current Subcontractor DD Form 254(s), if applicable.

3.2.2.6. Senior Intelligence Official (SIO) memo (for SCI NID Package only).

3.2.2.7. NID Endorsement or Disapproval Memorandum.

3.2.3. Templates of NID Package documents are available in [Attachment 2](#).

### 3.3. STEP 3-Endorse NID Request Package

3.3.1. The PM or CO sends the complete request package to the PEO/TEO for endorsement.

3.3.2. PEO/TEO endorses the package and provides endorsed package back to PM/CO.

3.3.3. For SCI: Following endorsement by the PEO/TEO, the PM/CO provides the endorsed NID Request Package for coordination as needed as needed with the MAJCOM SSO if USAF, or FLDCOM SSO if USSF, and AF/A2/6 if USAF, or SF/S2 if USSF.

3.3.4. NID request packages that contain classified information must be transmitted by means approved for the highest level of classified information contained within



### 3.4. STEP 4-Coordinate with Controlling Entities

3.4.1. Once the NID Request package has been endorsed by the PEO/TEO (and coordinated with AF/A2/6 or SF/S2 for SCI), the PM/CO forwards endorsed NID Request Package to DCSA via the DCSA NID email box: [dcsa.quantico.dcsa-isia.mbx.nid@mail.mil](mailto:dcsa.quantico.dcsa-isia.mbx.nid@mail.mil).

3.4.1.1. Classified NID request packages must be sent via approved means. The PM/CO should coordinate classified transmission with DCSA ahead of time.

3.4.2. For TS, RD, COMSEC, and SCI NID requests: DCSA will complete actions defined in Ref (d), including:

3.4.2.1. Complete FOCI Assessment.

3.4.2.2. Complete CI Threat Assessment.

3.4.2.3. Coordinate NID Request Package with other Controlling Entities if needed for concurrence (RD, COMSEC) or NID determination (SCI). Note: A final NID decision cannot be made until NSA, DOE, or DNI as applicable, respond regarding access to COMSEC, RD, or SIC, respectively.

3.4.3. Upon completion of the activities in 3.4.2., DCSA will provide the package back to PM/CO, with Control Agency(ies) concur/non-concur decision and DCSA's recommendation approve/deny NID.

### 3.5. STEP 5-Make NID decision:

3.5.1. After receiving the NID Request package back from DCSA, the PM/CO will review to ensure it is complete and make edits as necessary. A complete NID Approval Package includes:

3.5.1.1. NID Request Package (see [paragraph 3.2.2](#)).

3.5.1.2. CI Assessment from DCSA;

3.5.1.3. FOCI Assessment from DCSA;

3.5.1.4. Controlling Entity(ies) Concur/Non-Concur responses; and

3.5.1.5. Draft NID Approval/Disapproval Memorandum

3.5.2. The PM/CO will provide the NID Approval Package to the appropriate decision authority for decisions, as outlined in [Figure 2](#).

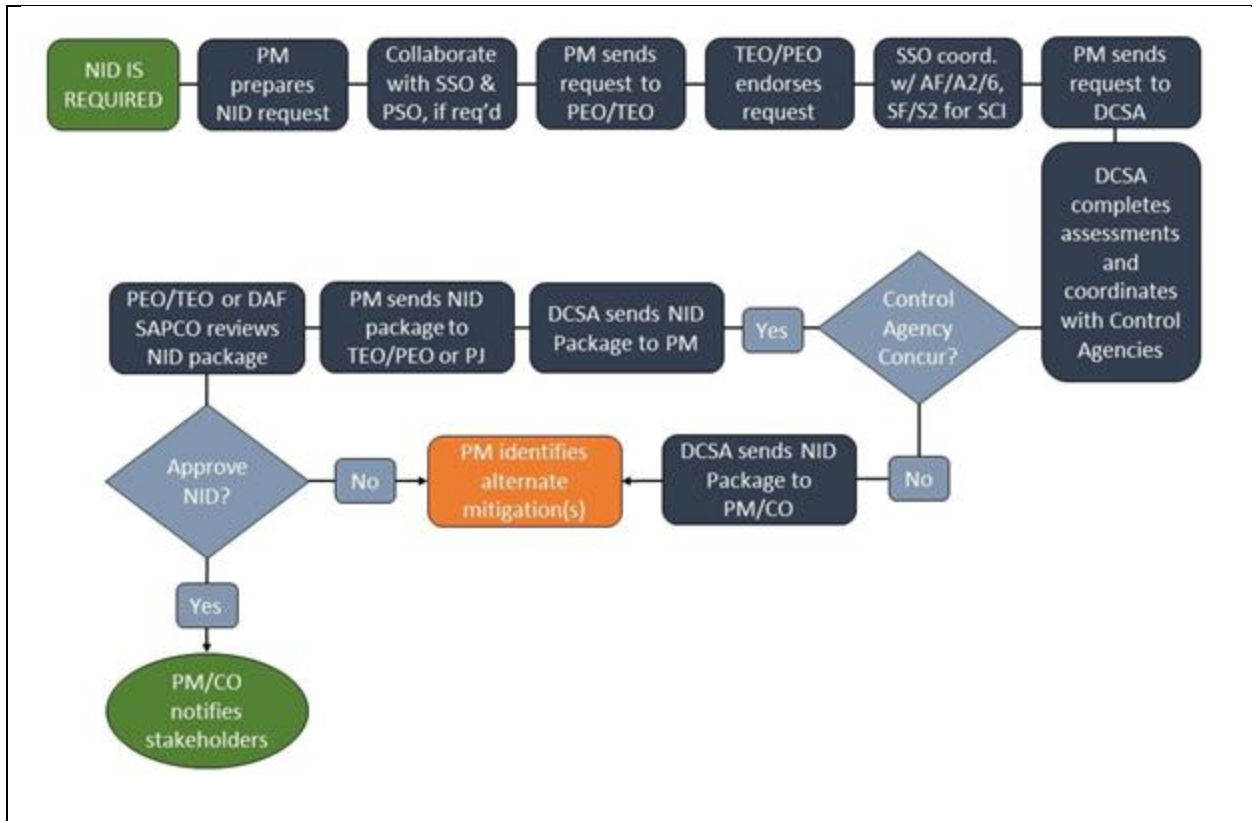
3.5.3. Decision Authority reviews package to determine if risk associated with allowing contractor to access proscribed information is in the best interests of national security. The Decision Authority should consider:

3.5.3.1. Mission impacts if covered contractor cannot access proscribed information (e.g., is covered contractor sole source? Is there a short timeline for contract performance?).

3.5.3.2. Current threat picture for technology involved in contract (e.g., interest by foreign country).

- 3.5.3.3. DCSA approval/denial recommendation and stated reasons for recommendation.
- 3.5.3.4. Whether pertinent security, counterintelligence, and acquisition interests were thoroughly examined.
- 3.5.3.5. If access to proscribed information by the contractor is in the best interest of national security.
- 3.5.4. Decision Authority Signs NID Approval/Disapproval Memorandum.
- 3.5.5. If the NID is approved, the PM/CO will:
  - 3.5.5.1. Retain NID approval documentation.
  - 3.5.5.2. Notify stakeholders, IAW **Paragraph 3.6**.
- 3.5.6. If the NID is denied:
  - 3.5.6.1. Must consider other FOCI mitigation measures instead of an SSA or reassess the entity's need to access proscribed information.
  - 3.5.6.2. Contact DCSA to determine an alternative method to the proposed SSA (e.g., a contract modification, a contract novation, a PA or VTA, etc.).
  - 3.5.6.3. Retain documentation explaining the rationale for the decision.
  - 3.5.6.4. Notify stakeholders IAW **Paragraph 3.6**
- 3.6. Step 6-Notify Stakeholders:
  - 3.6.1. PM/CO will notify the following stakeholders of the final NID decision:
    - 3.6.1.1. DCSA – Provide copy of final NID decision package.
    - 3.6.1.2. SAF/AAZ – Provide copy of final NID decision package.
    - 3.6.1.3. Contractor – Approval/denial decision only.

Figure 4. General Process.



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**Attachment 1****GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

10 USC, § 4874, *Award of certain contracts to entities controlled by a foreign government: prohibition*

32 CFR Part 2004, *National Industrial Security Program*

32 CFR Part 117, *National Industrial Security Program Operating Manual*

DFARS, Subpart 209.1, *Responsible Prospective Contractors*

EO 12829, *National Industrial Security Program*, 6 April 2010

Public Law 115-232, Section 842, *Removal of national interest determination requirements for certain entities*, 3 July 2019

DoDM 5220.32 Volume 1, *National Industrial Security Program: Industrial Security Procedures for Government Activities*, 1 August 2018, Incorporating Change 2 Effective 10 December 2021

DoDM 5220.32 Volume 2, *National Industrial Security Program: Procedures for Government Activities Relating to Foreign Ownership, Control, or Influence (FOCI)*, 17 April 2014, Incorporating Change 2 Effective 10 December 2021

DTM-15-002, *Policy Guidance for the Processing of National Interest Determinations (NIDs) in Connection with Foreign Ownership, Control, or Influence (FOCI)*, Incorporating Change 7, Effective November 6, 2020

AFMAN 14-1403, *Sensitive Compartmented Information Security and Intelligence, Surveillance, and Reconnaissance Systems Cybersecurity and Governance*, 3 September 2019

DoDM5220.22V2\_AFMAN16-1406V2, *National Industrial Security Program: Industrial Security Procedures for Government Activities*, 08 May 2020

AFI 16-701, *Management, Administration and Oversight of Special Access Programs*, 18 February 2014

OUSD(I&S) Memorandum, *Implementation of Section 842, Public Law 115-232, "Removal of National Interest Determination Requirements for Certain Entities"*, 5 October 2020

ICD 703, *Protection of Classified National Intelligence, Including Sensitive Compartmented Information*, 21 June 2013.

## Attachment 2

## SAMPLE NID PACKAGE DOCUMENTS

Figure A2.1. Sample National Interest Determination Justification.

<p>National Interest Determination Justification for NAME OF U.S. COMPANY</p> <p>Contract Number: _____ Program Name: _____</p> <p>1. Background Information</p> <p>Instructions. This section is used to identify the cleared contractor company, foreign interest entity information, contract/program, and brief description of the work to be performed under the contract. Include the type(s) of proscribed information to be released to company in question during contract/program performance, the circumstances that initiated the need for a NID (i.e., new contract award, foreign merger/acquisition, etc.), and the type of NID being requested (contract, project, or program). If there are any pre-existing security agreements in place already for this foreign company, indicate the details of the agreement here (including access level, approval authority, and date approved).</p> <p>2. Company and Ownership Information</p> <p>Instructions. At a minimum, identify the contractor/proposed awardees (company name, address, CAGE code), and synopsis of foreign ownership. Identify the prime contract number (program, project, or contract), or request for proposal number, the contract period of performance start date and period of performance end date, and the required facility clearance level.</p> <p>3. Description of Procurement and Performance Requirements</p> <p>Instructions. Provide contract details and scope of work (i.e., general description of the acquisition and performance requirements). Include contract number (including for pre-award NID requests) and program name/project name, period of performance, list of subcontractors (company names, CAGE codes, FCL levels), if applicable, what type of proscribed information is required and why access to that specific type of proscribed information is required, description of mission requirements, description of technology to be accessed, who will access the information, etc. Include the reason why the current contractor requires access to the proscribed information, a description of any alternate means available to satisfy the requirement(s), (e.g., use of substitute products or technology or alternate approaches to accomplish the program objectives, and the reasons why the alternate means are not acceptable). Also include a statement as to availability of another entity with the capacity, capability, and technical expertise to satisfy defense acquisition, technology base, or industrial base requirements.</p>
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REQUIRED FOR COMSEC NIDs. Identify who may have access to the requested material, and detailed list of all the COMSEC equipment and keys that are to be accessed by the contractor requested (quantity, nomenclature title, and version) and a justification of why access is required to the equipment. Include classification level of the keying material.

#### 4. Justification

Instructions. Provide reason why contractor requires access to proscribed information, any risk mitigation actions currently in place, and impact if the NID was disapproved. Identify the national security interests involved and the ways in which award/continuation of the contract helps advance those interests. Consider availability of other U.S. companies with the capacity, capability, and technical expertise to satisfy requirements and the reasons any such company does not meet mission need, and any alternate means available to satisfy the requirement, (e.g., use of substitute products or technology or alternate approaches to accomplish the program objectives). A weak justification can impact NID processing timelines, Controlling Entity concurrence, and ultimate approval.

#### 5. Conclusion

Instructions. Provide statement about how release of proscribed information is consistent with national security interests of the U.S. government, and recommendation for NID approval. Include Department of the Air Force Program and contracting point(s) of contact knowledgeable of request and requirements.

**Figure A2.2. Sample Senior Intelligence Officer Memorandum.**

<p>(APPROPRIATE LETTERHEAD)</p> <p>MEMORANDUM FOR: MAJCOM/FLDCOM SSO</p> <p>FROM: SIO's Organization</p> <p>SUBJECT: Request for Coordination of National Interest Determination (NID) Request for (insert company name, CAGE code, company address, contract number)</p> <ol style="list-style-type: none"><li>1. Request your office take action to coordinate with AF/A2/6 or SF/S2 on the request for approval for release of sensitive compartmented information (SCI) information under the authority of the Director for National Intelligence (DNI) to (insert name of company, CAGE code) located at (insert company address) for their performance on (insert contract name, contract number, program name).</li><li>2. (Insert name of company). requires access to SCI in performance on this (contract/program/project) to (insert justification).</li><li>3. Please provide this office a final copy of AF/A2/6 or SF/S2 concurrence to request a NID for access to SCI from the DNI for subject contractor.</li><li>4. Questions or concerns may be directed to (insert POC name, phone, and email).</li></ol> <p style="text-align: right;">Senior Intelligence Officer</p>
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**Figure A2.3. PEO/TEO NID Request Endorsement Memorandum.**

<p>(APPROPRIATE LETTERHEAD)</p> <p>MEMORANDUM FOR (List Government Contracting Activity Office Address)</p> <p>FROM: (PEO/TEO Official Address)</p> <p>SUBJECT: National Interest Determination Request</p> <p>1. As the Program Executive Officer responsible for (insert program name), I have reviewed the National Interest Determination request and justification for (insert contractor name, CAGE code) to access (insert types of proscribed information) under contract/program (insert contract number and program name).</p> <p>2. I hereby determine that the release of (insert types of proscribed information) to (insert company name) under contract/program (insert contract number or program name) is/is not is required in performance of the contract/program/project and approve/disapprove submission of a National Interest Determination request to (insert names of appropriate controlling Entity).</p> <p>3. My point of contact for this action is (insert name, phone number, and email).</p> <p style="text-align: right;">Program Executive Officer</p> <p>Attachments:</p> <ol style="list-style-type: none"><li>1. NID Justification</li><li>2. Controlling Entity Request Letter(s)</li><li>3. Copy of SOW/PWS/CRADA</li><li>4. Copy of Prime Contract DD Form 254</li><li>5. Copy of Subcontract DD Form 254(s)</li></ol>
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**Figure A2.4. Sample NID Request Memorandum to DCSA.**

<p>(APPROPRIATE LETTERHEAD)</p> <p>MEMORANDUM FOR DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY</p> <p>FROM: PEO/TEO's Official Address</p> <p>SUBJECT: National Interest Determination Request for (Insert Company Name, Address, CAGE Code, Contract Number)</p> <p>1. As the Program Executive Officer responsible for (insert program name), I have reviewed the National Interest Determination request and justification for (insert contractor name, CAGE code) to access (insert types of proscribed information) under contract/program (insert contract number and program name).</p> <p>2. I hereby determine that the release of (insert types of proscribed information) to (insert company name) under (insert contract or program name) is required in performance of the (contract/program/project).</p> <p>3. I formally request completion of a foreign ownership, control, or influence assessment and counterintelligence threat assessment, as well as your assistance coordinating this National Interest Determination request with (insert appropriate controlling entities).</p> <p>4. My point of contact for this action is (insert name, phone number, and email).</p> <p style="text-align: right;">Program Executive Officer</p> <p>Attachments:</p> <ol style="list-style-type: none"><li>1. NID Justification</li><li>2. Controlling Entity Request Letter(s)</li><li>3. Copy of SOW/PWS/CRADA</li><li>4. Copy of Prime Contract DD Form 254</li><li>5. Copy of Subcontract DD Form 254(s)</li><li>6. Senior Intelligence Official Memorandum (for SCI NIDs ONLY)</li></ol>
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**Figure A2.5. Sample NID Request Memorandum to Controlling Entities.**

<p>(APPROPRIATE LETTERHEAD)</p>
<p>MEMORANDUM FOR DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY</p>
<p>ORIGINAL CLASSIFICATION AUTHORITY (** For TS **) NATIONAL SECURITY AGENCY (**For COMSEC**) OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (**For SCI**) DEPARTMENT OF ENERGY (**For Restricted Data**)</p>
<p>FROM: PEO/TEO's Official Address</p>
<p>SUBJECT: National Interest Determination (NID) Request for (Insert Company Name, Address, CAGE Code, Contract Number)</p>
<p>1. As the Program Executive Officer responsible for (insert program name), I have reviewed the National Interest Determination request and justification for (insert contractor name, CAGE code) to access (insert type of proscribed information) under contract/program (insert contract number and program name).</p>
<p>2. I hereby determine that the release of (insert types of proscribed information) to (insert company name) under contract/program (insert contract number or program name) is required in performance of the contract/program/project and request your concurrence on this National Interest Determination request.</p>
<p>3. My point of contact for this action is (insert name, phone number, and email).</p>
<p>Program Executive Officer</p>
<p>Attachments:</p> <ol style="list-style-type: none"><li>1. NID Justification</li><li>2. Copy of SOW/PWS/CRADA</li><li>3. Copy of Prime Contract DD Form 254</li><li>4. Copy of Subcontract DD Form 254(s)</li><li>5. Senior Intelligence Official Memorandum (for SCI NIDs ONLY)</li></ol>

**Figure A2.6. Sample NID Approval/Disapproval Memorandum for TS, RD, COMSEC.**

<p>(APPROPRIATE LETTERHEAD)</p> <p>MEMORANDUM FOR GOVERNMENT CONTRACTING ACTIVITY</p> <p>FROM: PEO's Official Address</p> <p>SUBJECT: National Interest Determination (NID) Approval/Disapproval for (Insert Company Name, Address, CAGE Code, Contract Number)</p> <p>1. As the Program Executive Officer responsible for (insert program name), I have reviewed the National Interest Determination request and justification for (insert contractor name, CAGE code) to access (insert types of proscribed information) under contract/program (insert contract number and program name).</p> <p>2. I hereby determine that the release of (insert types of proscribed information) to (insert company name) under contract/program (insert contract number or program name) is/is not consistent with the national security interest of the U.S. government and approve/disapprove the National Interest Determination.</p> <p>3. My point of contact for this action is (insert name, phone number, and email).</p> <p style="text-align: right;">Program Executive Officer</p> <p>Attachments:</p> <ol style="list-style-type: none"><li>1. NID Justification</li><li>2. Controlling Entity Concurrence(s)</li><li>3. Copy of SOW/PWS/CRADA</li><li>4. Copy of Prime Contract DD Form 254</li><li>5. Copy of Subcontract DD Form 254(s)</li><li>6. Senior Intelligence Official Memorandum (for SCI NIDs ONLY)</li></ol>
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**Figure A2.7. Sample NID Approval/Disapproval Memorandum for SAP.**

<p>(APPROPRIATE LETTERHEAD)</p> <p>MEMORANDUM FOR GOVERNMENT CONTRACTING ACTIVITY</p> <p>FROM: DAF SAPCO's Official Address</p> <p>SUBJECT: National Interest Determination (NID) Approval/Disapproval for (Insert Company Name, Address, CAGE Code, Contract Number)</p> <p>1. As the Program Executive Officer responsible for (insert program name), I have reviewed the National Interest Determination request and justification for (insert contractor name, CAGE code) to access (insert types of proscribed information) under contract/program (insert contract number and program name).</p> <p>2. I hereby determine that the release of SAP information to (insert company name) under contract/program (insert contract number or program name) is/is not consistent with the national security interest of the U.S. government and approve/disapprove the National Interest Determination.</p> <p>3. My point of contact for this action is (insert name, phone number, and email).</p> <p style="text-align: right;">Director, Security, Special Program Oversight and information Protection</p> <p>Attachments:</p> <ol style="list-style-type: none"><li>1. NID Justification</li><li>2. Controlling Entity Concurrence(s)</li><li>3. Copy of SOW/PWS/CRADA</li><li>4. Copy of Prime Contract DD Form 254</li><li>5. Copy of Subcontract DD Form 254(s)</li><li>6. Senior Intelligence Official Memorandum (for SCI NIDs ONLY)</li></ol>
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