DEPARTMENT OF THE NAVY
ASSISTANT SECRETARY OF THE NAVY
(RESEARCH, DEVELOPMENT & ACQUISITION)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

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

JUL 08 2009

MEMORANDUM FOR DISTRIBUTION

Subj: ALIGNMENT OF TWO-PASS / SIX-GATE GOVERNANCE AND TITLE 40/ CLINGER-COHEN ACT (TITLE 40/CCA) COMPLIANCE CONFIRMATION PROCESSES

Ref: (a) Subtitle III of Title 40, United States Code [formerly the Clinger-Cohen Act]
(b) SECNAVINST 5000.2D of 16 Oct 2008, Implementation and Operation of the Defense Acquisition System and the Joint Capabilities Integration and Development System

1. Purpose. This policy memorandum provides additional guidance on Department of the Navy (DON) implementation of Title 40/CCA, reference (a), and related statutes governing the acquisition of Information Technology, including National Security Systems (hereafter referred to as IT/NSS). It also aligns this implementation with the DON Two-Pass / Six Gate Governance Process, as described in reference (b).

The inherent value of aligning the Department's implementation of Title 40/CCA with the Two-Pass / Six Gate Governance Process is to improve the delivery of on-time and on-cost IT/NSS programs and their associated capabilities. By addressing CCA criteria early on and throughout the program planning process, the Department can better ensure sound decision making consistent with Department of Defense (DoD) and DON policy and guidance, as well as the overarching principles of the Title 40/CCA, without risking unnecessary interruption to program execution. The end result will be that final Title 40/CCA Compliance Confirmation will be accomplished more effectively and efficiently, resulting in reduced rework and avoidance of unnecessary delays.

2. Applicability. This policy memorandum applies to all IT/NSS programs that are designated to be pre-Major Defense Acquisition Program (MDAP) programs, MDAP (Acquisition Category (ACAT I)) programs, pre-Major Automated Information System (MAIS) programs, MAIS (ACAT IA) programs, and selected ACAT II programs.

3. Background. Title 40/CCA was established to provide a structured approach to capital investment evaluation and decision-making for IT/NSS investment by the U.S. Federal Government. Title 40/CCA requires that the DON Chief Information Officer (CIO) assess major DON IT/NSS investments, in order to ensure the following principles:

a. The implementation of effective information systems. For the purposes of the DON implementation of Title 40/CCA, "effective" is defined as systems which are flexible, adaptable, non-proprietary, and are capable of sharing information as appropriate across the Naval Networking Environment (NNE) and Global Information Grid (GIG);

b. Identification and tracking of improvements to mission performance;

c. Deployment of business process improvements before investing in IT/NSS, and

d. Accommodation of the fast-paced nature of the IT industry and avoidance of outdated procurement approaches that do not take advantage of competition.

4. Fulfilling Title 40/CCA Certification Requirements Within the Two-Pass / Six-Gate Governance Process. The DON CIO will align Title 40/CCA certification requirements within the Two-Pass / Six-Gate governance process through the following activities:

a. Participate in working group(s) and working integrated product teams for development of Joint Capabilities Integration Development System (JCIDS) and Defense Acquisition System (DAS) documents and reports, as appropriate;

b. Participate in all Gate reviews for IT/NSS systems;

c. Review of Title 40/CCA related documents submitted for approval throughout the Gate Review process;

d. DON CIO recommendation on whether Gate or Milestone approval should be granted, in regards to Title 40/CCA compliance;

e. Collaborate with the Assistant Secretary of the Navy for Research Development and Acquisition (ASN (RD&A)) on development and distribution of a Title 40/CCA Compliance Confirmation process guidebook for DON programs to be completed within 180 days of signature of this memorandum; and,

f. Other activities, as appropriate, for Title 40/CCA compliance.

5. Measures of Successful Progress Towards Title 40/CCA Compliance Confirmation. The overarching principles of Title 40/CCA, as described in paragraph 3, will be used to assess pre-MDAP, MDAP, pre-MAIS, MAIS, and selected ACAT II programs. These assessments will ensure:

a. Relevant DoD and DON policies, strategies, plans, standards and architectures have been followed;

b. Business process reengineering has been considered and implemented prior to investing in program capabilities and acquisition activities;

c. Core functions and priorities required to support DON missions and functions have been incorporated into applicable requirements documents, alternatives analyses, and lifecycle cost estimates;

d. Adequate industry involvement, rigorous cost benefit analysis, and independent cost estimates; and,

e. The acquisition Information Assurance (IA) Strategy has been incorporated into all key documents and processes.

6. Cancellation Contingency. Cancelled after incorporated in revision to reference (b).

7. Points of Contact. The points of contact for Title 40/CCA Compliance Confirmation are Ms. Barbara Hoffman, at (703) 601-0116 or barbara.hoffman@navy.mil and Mr. Tim Thate, at (703) 614-6859 or tim.thate@navy.mil.

Robert J. Carey
Department of the Navy
Chief Information Officer

Sean J. Stackley
Assistant Secretary of the Navy
(Research, Development & Acquisition)

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