



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:
LR
5000
MAY 2 2000

From: Commandant of the Marine Corps

Subj: THE NON-DISCLOSURE OF SENSITIVE DATA ASSOCIATED
WITH INSTALLATION REFORM INITIATIVES

Encl: (1) U.S. Marine Corps Non-Disclosure Agreement
(Individual)

1. In the course of performing duties related to Activity Based Costing, Activity Based Management, Strategic Sourcing, A-76 competitions, and other productivity enhancing initiatives, Government personnel may be provided access to sensitive data. As a condition to receiving access to these data, Government personnel shall sign the agreement at the enclosure. This agreement is similar to the non-disclosure agreements signed by contractors before they are given access to similar kinds of sensitive data.

2. The enclosure describes in detail the kinds of data to which this policy applies and the kinds of measures that addressees, their subordinate commands, and Government users of such data at each command must undertake to protect the data from disclosure to unauthorized personnel. Addressees should establish procedures to ensure that access to these data is properly controlled, that all applicable personnel at each command sign the agreement at the enclosure, and that each command establishes a central file of the signed agreements to maintain a record of who has been given access to these sensitive data.

3. Addressees and their subordinate commands should also ensure that all contractors with access to these kinds of data have also signed non-disclosure agreements similar to the enclosure and that these agreements are also maintained on file centrally. Major Michael Wooten, HQMC (LR), can provide commands that have not already obtained non-disclosure agreements from their support contractors with a template for doing so. Major Wooten may be reached at (703)695-5768, DSN 225-5768 or via email at wootenme@hqmc.usmc.mil.

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4. Access to sensitive data and participation in A-76 studies may also affect the right of first refusal for government employees. This issue and related issues associated with the participation of union members in A-76 studies will be discussed in detail in a forthcoming MARADMIN.

5. Please ensure that the policy and procedures outlined in this letter are fully implemented as soon as possible but no later than 1 June 2000.



R. E. HAMMOND
Assistant Deputy Commandant
for Installations and Logistics

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U.S. MARINE CORPS NON-DISCLOSURE AGREEMENT (INDIVIDUAL)

1. In the course of performing my duties related to Activity Based Costing, Activity Based Management, Strategic Sourcing, A-76 competitions, or other productivity enhancing initiatives, I may be given access to or entrusted with Source Selection Information (as defined in Federal Acquisition Regulation (FAR) 3.104), other sensitive Government data such as data identified as "Business Sensitive," and/or data belonging to or marked or considered as "proprietary" (e.g., restrictive legend per FAR 52.215-1) that may be associated with the development of the Government's Management Plan in an ongoing or future Strategic Sourcing study or A-76 cost comparison. These data include all data, information and software, regardless of the medium, e.g. electronic or paper, and/or format in which the data exist, and includes data which are derived from, based on, incorporate, include or refer to such Source Selection, Business Sensitive and/or proprietary data (collectively referred to herein as "the data").

2. As a condition to receiving access to the data, I agree not to discuss with, disclose, release, reproduce or otherwise provide or make available the data, or any portion thereof, to any other Government or non-government employee unless and until such person has executed a copy of an individual non-disclosure agreement like this one. I also agree not to discuss with, disclose, release, reproduce or otherwise provide or make available the data, or any portion thereof, to any other Government or non-Government person or entity, unless the local ABC/M or A-76 Program Manager in coordination with the Office of Counsel for the Commandant's Field Counsel has given prior written approval, AND the person receiving the data has executed an individual non-disclosure agreement similar to this one. Furthermore, I agree to safeguard the data and to use the data solely for the purpose of job-related duties. I understand that any other use, disclosure, release or reproduction is unauthorized and may result in substantial criminal, civil and/or administrative penalties to me or to those persons or organizational entities to whom I have provided unauthorized access.

3. Appropriate restrictive legends will be included by me on any copies and reproductions made of all or any part of

Enclosure (1)

the data and any data that is derived from, based upon, incorporates, includes or refers to the data. I agree that these obligations not to use, discuss, disclose, release, reproduce or otherwise provide or make available the data continue, even after completion of any associated tasks and/or my employment with the Government. I will promptly (within one business day) report to local ABC/M or A-76 Program Manager any actual or suspected unauthorized use, disclosure, release, or reproduction of such data or violation of this agreement of which I am now or may become aware.

4. I agree that when the USMC determines that my need for such data no longer exists or my Government employment ends, I shall return such data promptly within five business days to the local ABC/M or A-76 Program Manager.

PRINTED NAME: _____

POSITION/TITLE: _____

SIGNATURE: _____

DATE: _____