PGI 239.7603-4 DoD damage assessment activities.

(a) Prior to initiating damage assessment activities, the contracting officer shall verify that a contract(s) identified in the cyber incident report include(s) the clause at DFARS 252.239-7010. If the contracting officer determines that a contract identified in the report does not contain the clause, the contracting officer shall notify the requiring activity that damage assessment activities, if required, may be determined to constitute a change to the contract.

(b) In cases of cyber incidents involving multiple contracts, a single contracting officer will be designated to coordinate with the contractor regarding media submission.

(c) If the requiring activity requests the contracting officer obtain media, as defined at DFARS 252.239-7010, from the contractor, the contracting officer shall—

(1) Provide a written request for the media;

(2) Provide the contractor with the “Instructions for Media Submission” document available at http://www.acq.osd.mil/dpap/dars/pgi/docs/Instructions_for_Submitting_M...; and

(3) Provide a copy of the request to DC3, electronically via email at dcise@dc3.mil, and the requiring activity.

(d) If the contracting officer is notified by the requiring activity that media are not required, the contracting officer shall notify the contractor and simultaneously provide a copy of the notice to DC3 and the requiring activity.

(e) The contracting officer shall document the action taken as required by paragraph (c) or (d) of this section, in the contract file.

(f) Upon receipt of the contractor media, DC3 will confirm receipt in writing to the contractor and the requesting contracting officer.

(g) When the requiring activity determines that the damage assessment activities are complete, the requiring activity will provide the contracting officer with a report documenting the findings from the damage assessment activities affecting covered defense information.

(h) The contracting officer shall include the report documenting the findings in the contract file(s) and provide a copy to the contractor.

Parent topic: PGI 239.7603 Procedures.