

Approved: 7-5-11

Policy Letters: NNSA Policies, Supplemental Directives, and Business Operating Procedures



**NATIONAL NUCLEAR SECURITY ADMINISTRATION
Office of Management and Budget**

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1. PURPOSE. This Supplemental Directive defines the formal system to set, communicate, and institutionalize policies, requirements, responsibilities, and procedures through NNSA Policy Letters in the form of NNSA Policies (NAPs) Supplemental Directives (SDs) and Business Operating Procedures (BOPs). This system of Policy Letters institutionalizes how the Administration will establish policy and provide direction and guidance to all its elements. This SD supplements Department of Energy (DOE) Order 251.1C, Departmental Directives Program.
2. CANCELLATION.
 - a. NAP-1, Establishment of a Policy Letter System for Managing Policy, Directives, and Business Practices within the National Nuclear Security Administration, dated May 21, 2002.
 - b. NAP-18, Implementation of NNSA Pilot Program on Determination of Fiscal and Other Impacts of New or Revised Directives, dated July 13, 2006.
3. APPLICABILITY.
 - a. This Supplemental Directive applies to all NNSA entities, Federal or contractor, and to non-NNSA elements funding activities at sites where the Administration is the landlord.
 - b. The requirements and processes in the Supplemental Directive apply to NNSA NAPs, SDs, and BOPs that apply to more than one NNSA Headquarters or field element. NNSA Headquarters and field elements are authorized to publish SDs and BOPs for use by those organizations and their contractors, provided they do not contradict, delete, or duplicate provisions in any applicable Policy, regulation, Order, Notice, or NNSA Policy Letter. Prior to issuance, NNSA Headquarters and field elements must have an approved and current process outlining the methodology for promulgating unique requirements.
4. BACKGROUND. The NNSA's Policy Letter system is established under the authority of Section 3212(d) of Public Law 106-65, the National Defense Authorization Act for Fiscal Year 2000, as amended. This law gives the NNSA Administrator authority to establish Administration-specific policies, unless disapproved by the Secretary. DOE Order 251.1C, *Departmental Directives Program*, authorizes Headquarters elements to

publish supplemental directives for use by those organizations and their contractors, provided the supplemental directives do not contradict, delete, or duplicate provisions in any applicable Policy, regulation, Order, or Notice.

5. POLICY.

- a. DOE Directives are the primary means to establish, communicate, and institutionalize policies, requirements, responsibilities, and procedures for multiple Departmental elements, including NNSA, and as such provide the building blocks for NNSA operations. The Department's Directives are applicable to the Administration unless an NNSA Policy Letter is provided.
- b. NNSA will use NAPs, SDs, and BOPs as its primary means to establish, communicate, and institutionalize policies, requirements, responsibilities, and procedures specific to NNSA elements and contractors. In NAPs, SDs, and BOPs, the NNSA Administrator may establish Administration-specific policies unless disapproved by the Secretary.
- c. When determined necessary by the Office of Business Operations (NA-MB-20), NAPs, SDs, or BOPs must have a written initial assessment of the costs and benefits (including fiscal, personnel, and other impacts) and, if necessary, a secondary, more in-depth quantitative and qualitative written analysis. These Initial Assessments and Further Evaluation Documentation will provide senior NNSA management with the necessary information to enable them to make informed decisions regarding NAPs, SDs, or BOPs that may be accompanied by onerous or unfunded burdens that exceed their assessed benefits.

6. POLICY LETTERS (NAPs, SDs, and BOPs).

- a. Must be:
 - (1) Concurred in by the NNSA Management Council;
 - (2) Maintained by the Director, Office of Business Operations (NA-MB-20); and,
 - (3) Rescinded only by the person authorized to issue the NAP, SD, or BOP unless directed otherwise by the Administrator or his/her designee.
- b. NAPs, SDs, or BOPs that contain sensitive or classified information are subject to the review procedures in this policy. They must not be circulated by unsecure email, unsecure facsimile, or other unsecure means.

- c. NAPs can apply to both Federal and contractor elements to:
 - (1) Impart policy and/or requirements unique to the Administration; or
 - (2) Provide short-term notices until more formal direction can be provided.
- d. SDs can apply to both Federal and contractor elements and are utilized, in conjunction with the Department's Directives System, to:
 - (1) Indicate how the Administration will implement a Departmental directive; and
 - (2) Implement Departmental directives in a cost efficient manner.
- e. BOPs provide procedures applicable only to NNSA Federal employees. BOPs provide a process for issuing sound business and operating procedures that are essential to efficient Federal operations.
- f. When a NAP, SD, or BOP addresses a topic covered by a Departmental directive, it will be numbered to correspond to the Departmental directive.
- g. Unless specified otherwise in an NNSA Policy Letter, Exemptions are granted by the Administrator or designee, in consultation with the originating office, and documented in a memorandum. For those directives requiring CTA concurrence, concurrence is also required prior to the granting of Exemptions.

7. REQUIREMENTS.

- a. Preparation and review of NAPs, SDs, and BOPs must follow the process outlined in the Attachment to this SD.
- b. Once a NAP, SD, or BOP has been reviewed and comments addressed by the originating organization, it must be submitted to the Management Council for approval prior to obtaining the Administrator's (or designee's) signature.
- c. When determined necessary by the Office of Business Operations (NA-MB-20), the Office of Planning, Programming, Budgeting and Evaluation (NA-MB-30) shall conduct a written initial assessment of the costs and benefits (including fiscal, personnel, and other impacts) and, if necessary, a secondary, more in-depth quantitative and qualitative written analysis of proposed NAPs, SDs, or BOPs.

- d. NNSA Federal staff shall perform the required cost/benefit analysis. NNSA management and operating contractors and other prime contractors shall provide assistance as required to complete the analysis as determined by NNSA Headquarters and or field/site management.
- e. When changes are required to a NAP, SD, or BOP, the Office of Business Operations (NA-MB-20), in conjunction with the originating organization, shall determine whether the change is administrative or non-administrative.
 - (1) Administrative changes are those that do not significantly alter requirements or responsibilities, and thus do not require a review and comment process.
 - (2) Non-administrative changes are those that significantly alter requirements or responsibilities, and thus do require a formal review and comment process.
- f. NAPs, SDs, and BOPs will be reviewed every two years by the Office of Business Operations and the originating organization to verify continuing relevance and whether any action (i.e., revision or cancellation) is necessary. The Office of Business Operations will initiate the review process.

8. RESPONSIBILITIES.

- a. Administrator, NNSA.
 - (1) Approves and signs NAPs and SDs.
 - (2) Approves the cancellation of NAPs and SDs.

These responsibilities can be delegated in writing by the Administrator.

- b. Principal Deputy Administrator. Determines whether costs and/or other impacts of each subject NAP or SD exceed the assessed benefits and, if so, recommends a course of action to the Administrator.

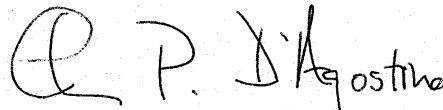
- c. Management Council.
 - (1) Concurs on all NAPs, SDs, and BOPs, as well as the cancellation thereof.
 - (2) Resolves impasse issues prior to publication of a NAP, SD, or BOP.
- d. Deputy Administrators, Associate Administrators, Heads of NNSA Mission Support Offices, and Site Office Managers.
 - (1) Propose NAPs, SDs, and BOPs for their organizations.
 - (2) After concurrence by the Management Council, approve BOPs for those elements for which they are responsible.
 - (3) Reviews and comments on NAPs, SDs, or BOPs prepared by other NNSA elements.
- e. Associate Administrator for Management and Budget.
 - (1) Manages the NNSA Policy Letter System.
 - (2) Manages the review of all NAPs, SDs, and BOPs.
 - (3) Maintains the records management system for all NAPs, SDs, and BOPs.
 - (4) Serves as the NNSA DPC required by DOE Order 251.1C.
 - (5) Performs the following functions through the Office of Planning, Programming, Budget and Execution (NA-MB-30):
 - (a) When determined necessary by NA-MB-20, performs an initial estimate (the “Initial Assessment”) on the impact of each proposed NAP, SD, or BOP. It will be a rough cost/benefit estimate used to determine if further analysis is required.
 - (b) For NAPs, SDs, or BOPs identified as having the potential for significant impact; and, when requested by Office of Business Operations (NA-MB-20), provides a more precise cost/benefit analysis (the “Further Evaluation Documentation”) of the fiscal

and/or other impacts, both quantitative and qualitative.

- (c) Develops and maintains documented methodologies for both the Initial Assessment and Further Evaluation Documentation.

9. CONTACT. Office of Management and Budget, Office of Business Operations, at 202-586-3857.

BY ORDER OF THE ADMINISTRATOR:

Handwritten signature of Thomas P. D'Agostino in black ink.

Thomas P. D'Agostino
Administrator

Attachment: Policy Letter Process

**Attachment to “NNSA Policy Letter Review Process”
Detailed Instructions for
NNSA Policy Letter Process**

1. Step 1: *Submit draft NAP, SD, or BOP to the Office of Business Operations (NA-MB-20).*
To initiate a review, the document should be sent electronically (e-mail) to the “NNSA Policy Letters” mailbox. The transmission should include the following:
 - a. A cover memo requesting Headquarters and Field review of a NAP, SD, or BOP that:
 - i. Briefly outlines the background of the action; identifies what problem this action solves (address statutory or other drivers, the benefits the action will bring to NNSA, and the consequences of disapproval);
 - ii. Identifies any known significant costs associated with the action;
 - iii. Discusses how the Administration compares with other Federal agencies in this area; and,
 - iv. Lists the organizations and individuals that have been involved in its development and clearance.
 - b. The draft NAP, SD, or BOP should be in final form, including appropriate attachments, appendices, etc. Every NAP, SD, or BOP that specifies a procedure or process should include a flow chart of that process and identify the resource requirements (financial and manpower).
 - c. Approval by the Deputy/Associate Administrator.
2. Step 2: *NA-MB-20 Reviews for Completeness.* Upon receipt, NA-MB-20 shall ensure that all the items delineated in Step 1 (above) are included with the request and assign a tracking number to the NAP, SD, or BOP. The number will be sequential and have an annotation if there is an associated DOE Directive. If any information is missing, NA-MB-20 will return the package to the originator.
3. Step 3: *NA-MB-20 Places Draft NAP, SD, or BOP in Program and Field Review.* NA-MB-20 will electronically circulate for review, the NAP, SD, or BOP and any necessary explanatory information, to designated Points-of-Contact (POC) for each organizational element within NNSA Headquarters and the Field. Distribution will include NA-MB-30 for Initial Assessment and possible Further Documentation Evaluation. A due date for responses will be set by NA-MB-20.
4. Step 4: *Program and Field Elements Review and Provide NA-MB-20 with Comments.* Comments will be accepted electronically (email to the “NNSA Policy Letters” mailbox) from the designated Headquarters and Field POCs to NA-MB-20. NA-MB-20 will provide an information copy of the comments electronically to the originator as they are received.

5. *Step 5: NA-MB-20 Consolidates Comments on a Review Form and Sends to Originator.* Within 24 hours of the conclusion of the comment period, NA-MB-20 will consolidate the review comments and officially forward (electronically) to the originating office for response. (If no comments are received during the review, proceed to Step 12.)
6. *Step 6: Originator Prepares Responses to Comments and Revises the NAP or BOP.* Originator should prepare responses to comments and make associated changes to the NAP, SD, or BOP. Every effort should be made to resolve comments during the comment resolution phase (generally two weeks). If additional time is required, NA-MB-20 must be notified and a new due date may be established. The final package must be electronically transmitted to NA-MB-20 and include:
 - a. Comment resolution matrix (include all comments received and proposed resolution for each comment);
 - b. Final revised NAP, SD, or BOP;
 - c. Redline/strikeout of the revised NAP, SD, or BOP showing changes made as a result of the review process; and,
 - d. Approval by the Deputy/Associate Administrator.
7. *Step 7: Comment Responses are Provided to NA-MB-20.* NA-MB-20 will ensure all items in Step 6 are included in the response. If any information is missing and/or comments are not addressed, NA-MB-20 will return the package to the originator.
8. *Step 8: NA-MB-20 Provides Responses to Reviewers; Obtains Concurrence or Identification of Issues.* NA-MB-20 will electronically transmit the package to the designated POCs for each organizational element within NNSA. This transmission will include the comment resolution matrix, redline/strikeout and clean copies of the NAP, SD, or BOP, and any other information or changes deemed necessary by NA-MB-20 as a result of its review of the package.
9. *Step 9: Responses Accepted by Reviewers **PROCEED TO STEP 11; IF RESPONSES ARE NOT ACCEPTED, GO TO STEP 10.*** The designated POC for each organizational element within NNSA will ensure that the resolutions are reviewed and accepted by said organizational element and that the resolution is acceptable to the organization's management. Acceptance will be sent (electronically) to the "NNSA Policy Letters" mailbox.
10. *Step 10: (a) NA-MB-20 Brokers a Resolution **OR** (b) If resolution is not reached, NA-MB-20 prepares impasse paper for Management Council.* NA-MB-20 will work with the document originator and POC for the commenter to broker a resolution. If resolution is not possible, NA-MB-20 (in consultation with the originator and POC commenter) will prepare an impasse paper for the NNSA Management Council. The impasse paper will

be signed by the appropriate management (Deputy Administrator, Associate Administrator, or Head of Staff Office) prior to elevation to the Management Council.

11. Step 11: *NA-MB-20 Prepares Final Package*. NA-MB-20 will confirm to the originator the acceptance of the resolution of all comments. Originator will prepare the final package and electronically transmit it to NA-MB-20. It shall include:
 - a. Comment resolution matrix (revised to include the name of person accepting resolution).
 - b. Final revised NAP, SD, or BOP.
 - c. Redline/strikeout of the revised NAP, SD, or BOP showing changes made as a result of the review process.
12. Step 12: *NA-MB-20 Certifies Review Process is Complete and Prepares Recommendation*. NA-MB-20 certifies review process and prepares final package for approval of the Management Council. Final package will include:
 - a. Summary memo to the Management Council identifying commentors, summary of comments received and their resolution, and NA-MB-20 recommendation;
 - b. Comment resolution matrix; and,
 - c. Final NAP, SD, or BOP.
13. Step 13: *Management Council Reviews and Approves (IF MANAGEMENT COUNCIL DISAPPROVES, PROCEED TO STEP 16)*. The Management Council provides each member with five working days to review and approve the package.
14. Step 14: *Administrator (or other NNSA Official) Signs*. Administrator (or other designated NNSA Official) signs NAP or SD and returns to NA-MB-20 for further processing. Deputy Administrators, Associate Administrators, Heads of NNSA Mission Support Offices, and Site Office Managers, signs BOP and returns to NA-MB-20 for further processing.
15. Step 15: *NA-MB-20 notifies originator of approval and distributes to all NNSA Elements*. Upon approval, NAPs, SDs, and BOPs will be distributed to all NNSA Headquarters and Field organizational elements. Original copies will be sent to NA-MB-20 for entry into the NNSA policy retention system. NA-MB-20 will forward (electronically) to DOE's Office of Information Resources (MA-90) for inclusion in the DOE Directives System.
16. Step 16: *Return to NA-MB-20 for Correction of Deficiencies*. If document is unacceptable to the Management Council, package with comments will be returned to NA-MB-20 for comment resolution.

17. Step 17: *NA-MB-20 Works with Originating Organization to Resolve Deficiencies.* If additional reviews are requested, go to Step 4. If the Management Council requests additional action, NA-MB-20 will determine the path forward to resolve issues and return the revised NAP, SD, or BOP package to the Management Council. If the deficiencies cannot be resolved to the satisfaction of the Management Council, NA-MB-20 will provide the non-concurrence to the NAPs, SDs, or BOPs originator. The originator may then decide to appeal the Management Council's decision to the Administrator. The Management Council's non-concurrence must be part of the forwarding package and should be submitted through the originator's management chain.