

CLIENT ALERT

Department of Defense Issues Defense Industrial Base Memorandum

Mar.20.2020

Following the March 19, 2020 guidance issued by the Department of Homeland Security's Cybersecurity and Infrastructure Agency (CISA) on "essential" critical infrastructure workers during COVID-19, the Department of Defense (DoD) issued a memorandum today reiterating that the Defense Industrial Base (DIB) is identified as a critical infrastructure sector by DHS, and that those who work in such sectors are expected to maintain normal work schedules. The DHS guidance identified the DIB essential critical infrastructure workforce as those who provide "essential services to meet national security commitments," including aerospace; mechanical and software engineers; manufacturing/production workers; IT support; security staff; security personnel; intelligence support; aircraft and weapon systems mechanics and maintainers; suppliers of medical supplies and pharmaceuticals; and critical transportation. The DoD memorandum adds some additional details, stating that DoD contracts and subcontracts that support the development, production, testing, fielding or sustainment of weapons systems/software systems or the manning, training, equipping, deploying, or support of military forces, are considered essential critical infrastructure that should maintain normal work schedules.

However, DoD contracts and subcontracts that support tasks such as providing office supplies, recreations support or lawn care are not considered essential. DoD notes that it will continue to assess conditions, and that companies should continue to follow guidance issued by the Centers for Disease Control and Prevention as well as State and local government officials regarding strategies to contain the spread of COVID-19. Crowell & Moring is standing by to assist with COVID-related questions.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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