

## CLIENT ALERT

### FY 2019 NDAA – Cyber Focus

Aug.20.2018

The 2019 National Defense Authorization Act (NDAA) includes a robust set of cybersecurity provisions impacting the Defense Industrial Base, including:

- Encouraging federal agencies to avoid using lowest price technically acceptable source selection criteria in procurements predominately for the acquisition of information technology and cybersecurity services.
- Establishing a pilot program to oversee Controlled Unclassified Information (CUI) handled by contractors with foreign ownership, control, or influence.
- Requiring DoD to notify Congress of data breaches involving significant losses of Personally Identifiable Information (PII) or other forms of CUI.
- Encouraging DoD and the National Institute of Standards and Technology (NIST) to assist small businesses in the Defense Industrial Supply Chain by enhancing cyber threat awareness and training, and helping to conduct voluntary cybersecurity self-assessments.
- Requiring DoD to obtain disclosures from vendors regarding foreign government access to products or source codes, before acquiring their cybersecurity or information technology products and services.

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

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