

Continuity of Operations Leadership Series for Government

Integrating Continuity of Operations (COOP) into the Enterprise Architecture

Policy Pillar



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Policy

Policy is the second pillar of COOP and can only be effective if there is a clear organizational strategy and defined mission. An organization's strategy and mission will help identify those essential functions that must continue in order for the mission to be fulfilled during times of crisis. Once these essential functions are known, the organization can begin to refine its policies and create new policies to address new operational scenarios. While policy is the second pillar of COOP, it does require an integrated view of the other pillars of COOP. Of course, good policy cannot be developed without a clear understanding of operational scenarios and the organization's concept of operations that address those scenarios. Likewise, operational profiles must be directly tied to defined policy.

This document provides an overview of policy development and implementation as it relates to COOP. It does not define or even suggest organizational COOP policy, because policies must be based on the unique aspects of an organization's strategy, mission, operations, and higher-level constraints such as public law, directives, and policy memoranda.

It introduces critical elements of policy and reviews key elements of the policy development implementation processes, including policy analysis and determination, formulation, and implementation and measurement. This document also addresses the prioritization and scope of policies as they relate to COOP.

Finally, the document provides an executive-level overview of two important COOP documents – Federal Preparedness Circular 65 (FPC 65) and Homeland Security Presidential Directive/HSPD 20.

Policy Definition

There are many definitions of policy, from high-level, generic views to narrow, specific directions. Generally, policies, like laws, are hierarchical. At higher levels, they can be broad in scope. As policy requirements are pushed down through an organization's structure, policies can be more clearly defined and actionable.

The definition of policy can take several forms including: 1) a guiding principle that is considered expedient or advantageous, 2) a course of action intended to influence and determine decisions and actions, and 3) a specific decision or set of decisions designed to carry out a course of action. Each of these forms implies a hierarchical level or scope. As shown in figure 1, most policy is based on a hierarchical structure of law, directives, higher-order policy, etc.



Figure 1: Policy Hierarchy

The most important aspect of policy is that its purpose is to define a method of action to provide guidance and to help determine present and future decisions. Therefore, policy can be implemented to help control anticipated future situations such as those that may be expected in a COOP environment.

Organizations will define policy based on their scope of control and the level of influence desired by intended policy. A government department may develop a policy as a general rule, permitting lower-level agencies and bureaus the ability to further define the specific policy elements based on organizational characteristics. Each layer of policy will have assigned scope, timeframe, responsibility, and authority associated with it. One view of this policy structure is the concept of policy architecture. Figure 2 provides a high-level view of a policy architecture construct.



Figure 2: Policy Architecture Construct

The advantage of a policy architecture or framework is that it provides a method of policy traceability. In other words, most policy should be derived from higher level policy, laws, or directives and should have assigned responsibility and authority. Without such a structure, policies can become irrelevant and be ignored.

Elements of Policy

Policy is developed based on needs. In most cases, policy is a direct result of higher-level directives, strategy, and requirements or it is conceived and created based on needed guidance to manage existing or anticipated conditions. As a matter of course, many "local" policies are derived based on existing conditions and experience. In the case of COOP, it is desired to rely on past experience and potential conditions. In any case, the conditions must be analyzed and a goal outcome determined. Once a goal is decided upon, leaders can determine the appropriate policies needed to achieve the goal and specifically what the policies should achieve (i.e., the policy objectives).

Based on the policy objectives, leaders know what instruments are at their disposal and best capable of achieving the objectives. Policy objectives may be accomplished by alternative policy instruments and several policy objectives may be accomplished by a single policy instrument. Understanding and defining objectives and potential instruments provides a means to analyze and assess the effectiveness of different instrument alternatives. The definitions of policy objectives and policy instruments can be defined as:

- Policy objectives: The purpose, goal, or long-term outcome desired from the policy.
- Policy instruments: The actions used to carry out policy and the methods of achieving the policy objectives.

Policy Process

Policy is often thought of as a document that describes a set of rules to be followed. While that may be true in some cases, policy is also a process by which leaders can formulate and adjust guidance based on existing and anticipated conditions. A policy objective will state a desired outcome without defining how it is to be accomplished, while the policy instrument will state how the policy is to be implemented. The policy instruments available may be alternative approaches that change over time due to evolving conditions. As a process, policy must be continuously evaluated for its effectiveness and adjusted in order to support its intended objective.

The value of policy being an evolutionary process is that it provides flexibility for conditions that may arise that were not anticipated. Effective policy, therefore, will provide some flexibility to ensure that policy objectives can be achieved under a variety of conditions. One way to think of this approach to policy is to think of policy objectives as the “ends” and policy instruments as the “means.” Rather than saying that the ends must be achieved by a particular means, a more flexible approach would state that the ends must be achieved through alternative means, based on an anticipated set of conditions. Therefore, the means can be described as a set of guidelines with limits, based on the conditions encountered.

One major consideration for COOP-related policy is the definition of a policy process that will serve the organization during an actual COOP event. During a crisis, how will the organization analyze, formulate, implement, and measure policy that is developed on-the-fly? An organization policy on this very issue may indeed be a good COOP policy to consider. A general policy process is described in figure 3. One COOP consideration will be developing a streamlined policy process that can be implemented during a COOP situation.

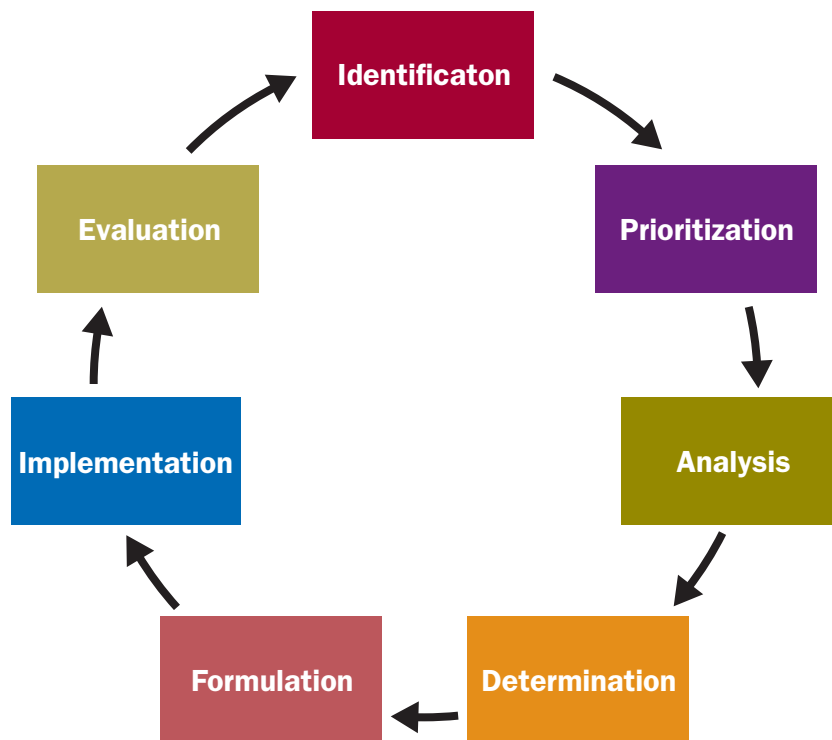


Figure 3: General Policy Process

Policy Analysis and Determination

Policy analysis is a process of determining which alternative, implemented policies will be the most likely to achieve a set of goals in an effective manner. By stating “implemented policies,” the implication is that there must be analysis to determine the best policy among alternatives and the best approach to implementing that policy. A critical aspect of policy analysis is that policy and implementation strategy must be considered as a pair. The most important analysis will be to distinguish between one policy and implementation pair as compared to alternative policy and implementation pairs.

Policy analysis, then, involves two processes:

- Policy formulation: The process of considering alternative policy options and deciding to implement one or several of them.
- Policy implementation: The process of carrying out the policy (or policies) decided on during the formulation stage.

Taken together, it’s possible to view the process of policy formulation and policy implementation from the perspective of policy analysis and policy determination. Both formulation and implementation require analysis and both require decisions as to the most appropriate solutions. Policy analysis is the process of investigating issues and alternatives while policy determination is the decision process for selecting which objectives should be met and the instruments to be utilized.

Policy analysts should implement a rigorous approach to completing a thorough policy analysis, including

- Identify and prioritize policy issues
- Clarify organizational policy objectives and identify potential conflicts
- Identify current policies and their consequences
- Identify alternative viable policy instruments and their probable direct and indirect consequences
- Develop criteria and indicators to assess progress towards objectives
- Design viable policy packages, with associated strategies to obtain political support
- Develop policy measures to support and ensure organizational effectiveness
- Advocate these viable policy packages in a clear, brief, and persuasive way

In essence, the task of the policy analyst is to help the policy maker make difficult decisions in areas that are often contentious. Senior policy makers must understand the issues involved if they are to make sound decisions. The policy analyst must be able to create and convey that understanding quickly and clearly.

Formulation

Policy formulation is the process of developing effective and acceptable courses of action to address issues related to achieving organizational strategy. The two fundamental issues that must be addressed are effectiveness and acceptability of the policy being formulated. A policy formulated for a standard operating environment may not be effective or acceptable during COOP operations and vice versa. Therefore, policy formulation should consider alternative modes of operations during various types of COOP events.

Effectiveness is a measure of a potential policy’s validity under certain condition and its effectiveness in addressing the issue at hand. In some cases, policies will need to be crafted that have alternative measures to address varying conditions. Policy effectiveness should be evaluated by all of the organization’s components that have a stake in the outcome of the policy, such as legal, engineering, operations, human resources, and other functions. Effectiveness of policy should also be evaluated on defined, measurable attributes. Each attribute, such as cost, flexibility, measurability, and consistency can be prioritized and evaluated for each alternative policy solution.

Acceptability is not a measure of the policy's adequacy, but a measure of its acceptance to leadership and decision makers. In other words, while a proposed policy may well address the issue effectively, it may not be acceptable to leadership for a number of reasons. The question here is whether the proposed policy will be authorized by leadership. This question defines the political process of policy formulation.

The bottom line is that policy formulation has two fundamental aspects. First, effective policy alternatives must be developed and clearly expressed and second, the alternatives must be deliberated for their political acceptability and a final policy solution must be authorized. In the development of COOP-related policy, these two aspects must be considered very closely. The analysis portion of formulation will be founded on knowledge of the situation or issue to be addressed and the authorization portion will be based on knowledge of the organization's political process and the wisdom of the decision makers.

The purpose of policy is to affect positive change, and in the case of COOP policy, to affect positive change during a critical time.

Implementation & Measurements

Once a policy has been formulated, it must be instituted within the organization. One significant blunder would be to formulate a policy for COOP and then put it on the shelf for a future event. While there is value in the fact that a policy exists, there is considerably more value when the organization actively implements it.

When implementing policy, there should be clear measures that indicate that the organization's personnel are aware of it, understand its implication, and are prepared to implement it or are implementing it as required. As a policy is being implemented, there needs to be measurement milestones that give leadership an indication that it is being employed.

Once a policy has been employed, its effects should be measured to ensure and verify their value. In the case of COOP policies, it would be necessary to evaluate the policies in a simulation of the COOP environment for which they were developed. Otherwise, the policies are solely based on a best guess as to their impact. A case study approach would verify the policies in the context of anticipated COOP scenarios.

Priorities

Since the objective of policy is to address real-world issues, it is important to develop the capability to identify and prioritize those issues. When it comes to COOP policy, it is necessary to identify and rank possible COOP scenarios based on their probability of occurrence and potential impact. This ranking of COOP scenarios and the potential responses to them will provide some insight into the policy issues that decision makers need to address.

The process for policy developers will be to fully understand the COOP scenarios their organizations may face and then to carefully apply analytical skills to develop policy solutions to the various potential scenarios. For each of the scenarios, it will be important to:

- Identify issues and potential options, with a clear understanding of probable consequences
- Understand the issues involved so that sound decisions can be articulated
- Identify the political and bureaucratic issues that need to be addressed and the resources to bring about effective implementation

When prioritizing policy issues, it is important to recognize that only a few policy issues can be addressed simultaneously. A policy effort that is overreaching or that attempts to address too many issues at once will be poorly received, not because it is necessarily wrong, but because its true impact will not be measured. It must be remembered that policy resources for analysis, formulation, implementation, and measurement are not unbounded.

COOP Policy Scope and Goals

Determining the Need for Policy

In order to ensure that policies match an organization's COOP needs, it is critical that the organization's strategy and defined essential functions be fed into the policy development process. Once the strategy and essential functions are defined and interpreted for policy, policy developers must perform the following actions:

- Review organizational strategy and determine mission objectives
- Analyze mission objectives and determine essential functions
- Develop organizational policy in conjunction with operational scenarios and profiles
- Evaluate existing policy for COOP considerations
- Identify and evaluate new policy needs and consider:
 - Higher-order COOP policies and directives
 - Organizational specific missions
 - Operational profiles
 - Essential personnel
 - Safety
- Ensure the policy is flexible to handle multiple instances
- Ensure COOP policies provide managerial latitude for adaptability

While policies can never be developed for every possible COOP circumstance, there are key considerations that can be used to determine if policy should be considered. Some of these considerations include:

- To keep and maintain compliance with public laws and government policies.
- To protect the organization legally in areas such as negligence, contracting, acquisition, and non-discrimination.
- To provide guidance with regards to handling specific situations or to eliminate possible confusion with regards to standards of conduct, small purchases, travel expenditures, vehicle use, email and Internet policies, and cell phone use.
- To establish consistent and fair standards, rules, and regulations for safety, discipline, work environment, duty hours, bereavement.

Defining the Goals of Policy

If it is necessary to update existing policy or create new policy for COOP related issues, the organization should clearly define the goals the policy is intended to achieve. This, of course, is a critical part of policy analysis. However, once the goals have been clearly defined, they need to be scrutinized to ensure that they do not try to solve non-COOP related issues. As stated earlier, it is important not to address too many issues at one time.

When defining the goals of policy, it is also important to separate goals so that a single policy is not attempting to do too much. It is better to develop multiple policies, each of which addresses a different issue than to develop one large policy that addresses many different issues. The reason for this is two-fold. First, complex policies are easily rejected and therefore take longer to institute and modify. Second, complex policies are difficult for the target audience to digest and understand. By keeping the policies focused on narrowly defined issues and keeping the concepts and language simple, it is more likely that the policy will be followed.

Communicate the Policy

Once COOP policy has been defined and is being implemented, it will need to be communicated to the intended audience. As this communication begins, the organization's personnel must be made aware of exactly who the target audience is. If the policy is addressed to essential personnel but leaders, supervisors, and subordinates do not know if they are essential personnel, then there will be problems with policy communications and eventual COOP operations. To properly communicate policy, the audience should be explicitly defined. One difficulty for COOP related policy is that each potential COOP scenario may require policies for different groups of personnel.

The potential communications paths for policy include:

- Organization websites, splash screens, or network delivered notifications
- Email notifications
- Employee handbook
- Employee orientation
- Periodic training regimen
- Distribution of policy documents
- Staff meetings

As a follow-up to a policy communications campaign, it is desirable to measure the effectiveness of the communications. This may be accomplished by having employees identify their attendance at specific events where the policy is reviewed (e.g., periodic training, or a follow-up survey could be conducted to get a measure of employee notification).

Overview of the Federal Government's COOP Policy

There are many Federal documents related to COOP that express some form of policy or guidance for agencies. The two most relevant to understanding the scope of COOP and to developing COOP plans can be found in Federal Preparedness Circular 65 (FPC 65) and Homeland Security Presidential Directive/HSPD-20.

Federal Preparedness Circular 65 (FPC 65)

Federal Preparedness Circular 65 (FPC 65) is federal guidance published in 1999 to support agencies in developing plans for continuity of operations (COOP). The goal of the document is to facilitate COOP plans that help government agencies perform their essential functions during an emergency or other disruptive situation.

Authority and References

FPC 65 is derived from specific authority documents including public law and executive orders and directives.

Authority	Title	Date
National Security Act of 1947	National Security Act of 1947	Jul 26, 1947
Executive Order 12656	Assignment of Emergency Preparedness Responsibilities	Nov 18, 1988
Executive Order 12472	Assignment of National Security and Emergency Preparedness Telecommunications Functions	Apr 3, 1984
Executive Order 12148	Federal Emergency Management	Jul 20, 1979
Presidential Decision Directive 67	Enduring Constitutional Government and Continuity of Government Operations	Oct 21, 1998

Table 1: FPC 65 Authority Chain

Additionally, FPC 65 reference several documents for additional guidance and clarity.

Authority	Title	Date
Presidential Decision Directive 62	Protection Against Unconventional Threats to the Homeland and Americans Overseas	May 22, 1998
Presidential Decision Directive 63	Critical Infrastructure Protection (CIP)	May 22, 1998
Federal Preparedness Circular 60	Continuity of the Executive Branch of the Federal Government at the Headquarters Level During National Security Emergencies	Nov 20, 1990
41 Code of Federal Regulations (CFR) 101-2	Occupant Emergency Program	Jul 1, 1998
36 Code of Federal Regulations (CFR) 1236	Management of Vital Records	Jul 1, 1998

Table 2: FPC 65 References

Policy

FPC 65 explicitly states that:

“It is the policy of the United States to have in place a comprehensive and effective program to ensure continuity of essential Federal functions under all circumstances. As a baseline of preparedness for the full range of potential emergencies, all Federal agencies shall have in place a viable COOP capability which ensures the performance of their essential functions during any emergency or situation that may disrupt normal operations.”

Background

FPC 65 acknowledges that COOP planning is good business practice, but notes that the changing threat environment and prior emergencies have “shifted the awareness to the need for COOP capabilities that enable agencies to continue their essential functions across a broad spectrum of emergencies.” Rather than leaving COOP planning to the discretion of individual agencies, greater assurance is needed to ensure that the essential functions of the Executive Branch will continue. In accordance with Presidential Decision Directive 67, the Federal Emergency Management Agency (FEMA) is the Executive Agent for COOP in the Executive Branch and is responsible for formulating guidance for developing COOP plans.

FPC 65 also states that each agency is to appoint a senior Federal government executive as their Emergency Coordinator to serve as program manager and agency point of contact for coordinating agency COOP activities.

Objectives

The objective of COOP is to assure that the capability exists to continue essential agency functions across a wide range of potential emergencies with the specific objectives of:

- Ensuring the continuous performance of an agency’s essential functions/operations during an emergency;
- Protecting essential facilities, equipment, records, and other assets;
- Reducing or mitigating disruptions to operations;
- Reducing loss of life, minimizing damage and losses; and,
- Achieving a timely and orderly recovery from an emergency and resumption of full service to customers.

Planning Considerations

According to FPC 65, a COOP plan should consider the following regarding an agency’s preparedness:

- Must be maintained at a high level of readiness;
- Must be capable of implementation both with and without warning;
- Must be operational no later than 12 hours after activation;
- Must maintain sustained operations for up to 30 days; and,
- Should take maximum advantage of existing agency field infrastructures.

Elements of a Viable COOP Capability

FPC 65 states that to be viable, an agency's COOP capability shall encompass:

- **Plans and Procedures:** Delineate essential functions and activities and outline a decision process
- **Identification of Essential Functions:** Essential functions are those functions that enable Federal Executive Branch agencies to provide vital services, exercise civil authority, maintain the safety and well being of the general populace, and sustain the industrial/economic base in an emergency.
- **Delegations:** To ensure rapid response to any emergency situation requiring COOP plan implementation, agencies should pre-delegate authorities for making policy determinations and decisions at headquarters, field levels, and other organizational locations, as appropriate.
- **Orders of Succession:** Establish, promulgate, and maintain orders of succession to key positions.
- **Alternate Facilities:** Designate alternate operating facilities and prepare personnel for the possibility of unannounced relocation of essential functions and/or COOP contingency staffs to these facilities.
- **Interoperable Communications:** The success of agency operations at an alternate facility is absolutely dependent upon the availability and redundancy of critical communications systems to support connectivity to internal organizations, other agencies, critical customers, and the public.
- **Vital Records and Databases:** Protection and availability of electronic and hardcopy documents, references, records, and information systems needed to support essential functions under the full spectrum of emergencies
- **Test, Training and Exercise:** Demonstrate and improve the ability of agencies to execute their COOP plans.

COOP Implementation

For planning purposes, the circular identifies suggested time-phased approach for COOP activation and operations, including:

- Phase I: Activation and Relocation (0 – 12 Hours)
- Phase II: Alternate Facilities Operations (12 Hours – Termination)
- Phase III: Reconstitution (Termination and Return to Normal operations)

Homeland Security Presidential Directive/HSPD 20

The Homeland Security Presidential Directive/HSPD 20 was published on May 9, 2007 and represents the most recent direction from the Executive Office of The President on the issue of COOP. HSPD 20 is not a refinement of FPC 65 and makes no direct changes to it. It is, however, a very important document for federal agencies and state and local governments to understand, because it establishes national policy on the issue of COOP that can impact every government organization in some way. HSPD 20, which is also titled National Security Presidential Directive/NSPD 51, and encompasses both COOP and National Continuity Policy. The Continuation of Government (COG) and Enduring Constitutional Government (ECG) nature of HSPD 20 makes it far broader in scope than FPC 65.

Purpose

The purpose of HSPD 20 is to establish a comprehensive national policy on the continuity of the Federal Government's structures and operations. The directive creates a single National Continuity Coordinator (NCC) responsible for synchronizing the development and implementation of federal continuity policies. The directive also establishes "National Essential Functions" and stipulates the continuity requirements for all executive departments and agencies. Finally, the directive provides guidance to state, local, territorial, and tribal governments, and private organizations to better ensure a complete and integrated national continuity program. The goal is to improve the national security posture and facilitate quick and effective responses to national emergencies.

Policy

The policy established by HSPD 20 addresses both COOP and Continuity of Government (COG) and clearly links the two as critical to the preservation of constitutional government. The policy explicitly states:

“It is the policy of the United States to maintain a comprehensive and effective continuity capability composed of Continuity of Operations and Continuity of Government programs in order to ensure the preservation of our form of government under the Constitution and the continuing performance of National Essential Functions under all conditions.”

Implementation Actions

HSPD 20 is a call to action and states that continuity requirements are to be incorporated into daily operations of all executive departments and agencies. Because of the nature of the treat, continuity planning is to be based on the assumption that there will be no warnings regarding potential emergencies. The implementation guidance places significant emphasis on two planning factors:

- Geographic dispersion of leadership, staff, and infrastructure in order to increase survivability and maintain uninterrupted government functions.
- Applying risk management principles to ensure that appropriate operational readiness decisions are based on the probability and consequences of an attack or other incident.

National Essential Functions

National Essential Functions (NEFs), as defined in HSPD 20, are the foundation of all agency continuity programs. It states that NEFs represent the “overarching responsibilities of the Federal Government to lead and sustain the Nation during a crisis.” Based on this assertion, the following NEFs are explicitly identified as the primary focus of Federal Government leadership during and following an emergency:

- “Ensuring the continued functioning of our form of government under the Constitution, including the functioning of the three separate branches of government;
- Providing leadership visible to the Nation and the world and maintaining the trust and confidence of the American people;
- Defending the Constitution of the United States against all enemies, foreign and domestic, and preventing or interdicting attacks against the United States or its people, property, or interests;
- Maintaining and fostering effective relationships with foreign nations;
- Protecting against threats to the homeland and bringing to justice perpetrators of crimes or attacks against the United States or its people, property, or interests;
- Providing rapid and effective response to and recovery from the domestic consequences of an attack or other incident;
- Protecting and stabilizing the Nation’s economy and ensuring public confidence in its financial systems; and
- Providing for critical Federal Government services that address the national health, safety, and welfare needs of the United States.”

The document then states that the NEFs are to be assigned to executive departments and agencies based on their national security roles and responsibilities. Specific department and agency responsibilities are assigned as part of the policy. First and foremost, the policy identifies the Secretary of Homeland Security as the President’s lead agent for coordinating continuity operations and activities. It also states that the president’s Chief of Staff will be responsible for ensuring COOP and COG policies are coordinated with the other branches of government.

With the broad focus on integrating the COOP and COG efforts of federal departments and agencies and between the branches of government, the directive also states that federal COOP, COG, and ECG plans and operations are to be integrated with the plans and capabilities of state, local, territorial, and tribal governments as well as private industry owners and operators of critical infrastructure.

Conclusion

One definition of policy is that it is a deliberate plan of actions that helps guide decisions and achieves logical and rational results. In many cases, policies will be prescriptive in nature to ensure that specific requirements are followed. In other cases, policies will be more flexible and will address numerous conditions. COOP planning and execution will require both types of policies.

COOP policy must be developed with a comprehensive understanding of organizational strategy and mission. This strategy and mission will aid in the clear definition of the organization's essential functions. It is these essential functions that need to be the drivers of policy refinement or creation. Like all good policy, there are clear steps that need to be taken. Policy must be thoroughly analyzed and formulated; it must be carefully crafted so that it addresses the desired outcome; and it must be implemented and measured to ensure its effectiveness.

In preparing for COOP, all organizational policies should be reviewed and, if necessary, updated. New policies should be considered to address possible COOP scenarios. Caution must be exercised to ensure that policy only addresses necessary issues and that it is formulated to be politically sound.

In all cases, any COOP policy must address the higher order constraints established by public law, directives, guidelines, and policies established by government authority. Additionally, all COOP policy should be based on prudent and sound judgment, and should be clearly articulated and disseminated to all organizational elements and personnel that are stakeholders in COOP execution.

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