



BACKGROUND INVESTIGATIONS AND SECURITY CLEARANCES WEBINAR ON SEPTEMBER 23, 2008 NOTES

AGENCY PARTICIPANTS

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ABOUT BACKGROUND INVESTIGATIONS AND SECURITY CLEARANCES

All government agencies require applicants who receive a job offer to undergo a background investigation. The depth of the investigation depends on the requirements for the position. The length and depth of the background investigation depends on job role which are:

- Non Sensitive
 - Examples of jobs that are **Non-Sensitive**.
- Public Trust
 - Examples of jobs that are **Public Trust** are: Protecting government information technology systems, government funds (e.g., finance officers), auditors, jobs that require the protection of sensitive information (HR, taxes, retirement), Customer Service and Public Liaisons.
- National Security
 - Examples of jobs that require **Security Clearances** are: Federal Air Marshals (Top Secret), Bomb Appraisal Officer (Secret), Passport examiner (Secret or Public Trust), Foreign Service Officer (Top Secret)

The investigations for jobs dealing with national security are the most in depth. These investigations help determine that a person is able and willing to safeguard classified national security information, based on his or her loyalty, character, trustworthiness, and reliability. Security Clearances Levels are:

- **Confidential**: This clearance refers to material which, if improperly disclosed, could be reasonably expected to cause some *measurable* damage to national security. It must be reinvestigated every 15 years.
- **Secret**: Unauthorized disclosure of the information this clearance covers could be expected to cause *grave* damage to national security. This level gets reinvestigated every 10 years.

- **Top Secret:** Individuals with this clearance have access to information or material that could be expected to cause *exceptionally grave* damage to national security if it was released without authorization. This level needs to be reinvestigated every five years.

A security clearance is needed for many entry-level positions at the Department of State and in the intelligence community, for instance in the CIA, the FBI and the NSA. Other agencies require them for positions at the entry level. The Office of Personnel Management's Federal Investigative Services Division is responsible for the initial background investigation for most security clearances. The final decision of whether or not to grant a security clearance is made by the specific federal agency a candidate will be working for pursuant to Adjudicative Guidelines for Determining Eligibility for Access to Classified Information.

The elements that make up a background investigation vary depending on the level of clearance that is needed. In the case of a background investigation for a Top Secret clearance, agents will go out into the field and interview people who have lived or worked with the candidate at some point in the last seven years. Background investigations for lower levels of security clearance are less intense, and generally rely on automated checks of an individual's history. The aspects investigated include the candidate's credit history, criminal background history, and employment and education histories.

INVESTIGATION PROCESS



- The investigation process can take, on average, up to 120 days once the applicant completes their paperwork.
 - How does process differ at each agency?
 - State: Presidential Executive Orders stipulate how investigations are conducted, so the process is very uniform among federal agencies. The State Department has a Customer Service desk for applicants, so our own process is very user-friendly and applicants are informed about where they stand in the process. State also may issue an interim security clearance after performing a preliminary series of investigative steps which allows the applicant to begin work right away with a conditional offer of employment while the background investigation is being finalized.

- TSA: Our Electronic Filing unit helps speed up the process. Once the pre-hire Enter on Duty suitability determination is finished, then a POC will be notified if they are accepted or denied. Reciprocity may be granted after the suitability determination is completed, if person had a clearance previously.
- Electronic Questionnaires for Investigations Processing (e-QIP): e-QIP is part of an e-government initiative sponsored by the U.S. Office of Personnel Management. e-QIP allows applicants to electronically enter, update, and transmit their personal investigative data over a secure Internet connection to their employing agency for review and approval.
 - Students can prepare in advance for this but they can't initiate it themselves (it can only be initiated by their prospective employer).
 - Typically students have to provide approximately 7-10 years of their employment/life history.
 - For low-risk positions, there is not much information collected and applicants could enter in their information relevantly quickly.
 - For higher security, applicants should collect their life, work and travel history, citizenship documentation if born outside of US, addresses of family. If they've been arrested, they'd need to provide detailed information on this. Applicants can bring their address book with them when they get ready to fill out the form because they will need their contact info.
 - Applicants can come in and out of e-QIP, so it can update it as needed and doesn't need to be completed at one time.
 - All information entered into e-QIP is in compliance with the Privacy Act.
- When adjudicating a case file, most agencies use a "Whole Person Concept" that provides an infrastructure for weighing the severity of any misconduct and to come to terms if there will be a detrimental impact to the agency if the applicant works there.

TIPS FROM THE EXPERTS

- Start Early
 - Document work/life history, gather contact information, address for seven or 10 years (based on the type of investigation).
- Document all Foreign Travel and Foreign Contacts
 - A Foreign National is a citizen of a foreign country and should be included as a foreign contact.
 - Contact your security officer to advise them of any changes you need to make on the form after you submit the form.
- Submit paperwork in a timely manner –TSA offers applicants 120 days to fill out all of their paperwork and if they don't complete it on time they must resubmit their e-QIP forms and fingerprints must be resubmitted because of the OPM requirements. The

process for candidates who don't read instructions or omit some forms will be longer. Candidates should reach out to the agency to make sure they aren't missing anything.

- Be Honest!
- Provide References in the US

IMPEDIMENTS

- Dual Citizenship or Foreign Born – This takes extra time as the investigator must verify birth abroad and verify immigration records.
- Family Members Who Are From Other Countries- This can be an impediment in that it takes more time to trace back connections in other countries. Key considerations are whether or not family members have connections to a foreign person, group, government, or country that may create a potential conflict of interest.
- Drug Use or Criminal Record – Students should still apply for federal jobs and be honest about their experience. The agency will consider the individuals age, circumstances, and how long ago the event was in making their decision. Agencies look at these instances differently based upon their unique duties and missions so an applicant may be hired at one agency but not another.
- High, Bad or Delinquent Debt: At TSA if an applicant has bad debt of over \$5,000 (outside of student loans) and the issue cannot be mitigated there is a possibility that you will not be found suitable for employment. If the applicant has delinquent federal debt again there is a probably chance that you will not be eligible for employment.
- Providing Incomplete or Inaccurate Information
- Withholding Relevant Information
- Failing to Register with the Selective Service –Selective service registration is required for all males and could be an impediment to employment if someone fails to register.

QUESTION AND ANSWER

1. With more students, under treatment for mental health issues from anxiety to bi-polar, what level of mental health does a person have to successfully get through the security clearance? Also if person has been in treatment, how many years should pass before they apply for a job requiring a security clearance?
 - State has an in-house medical office that reviews the files of each applicant to scan their medical history. All medical information is held private. Seeking medications to handle life stress is often viewed as a positive factor. There is greater concern when the applicant doesn't realize they have a problem and is not addressing them. If the treatment does not impact the individual's judgment then it isn't likely a hindrance in the issuance of a security clearance or public trust certification.
 - TSA applicants who seek counseling are not disqualified during the background investigation process. The issue is focused on honesty and on fully disclosing the treatment. If for some reason the counseling has a nexus to the position and using the whole person concept it could prevent a granting of a clearance.
 - Alcohol abuse must also be reported and successful treatment would be a mitigating factors. It's not necessarily a disqualifier. For some positions this won't come up during the review.
2. What happens if the person isn't hired?
 - The information is retained by the agency. There will always be a record of any investigation for 16 years. It's helpful for a person to reuse this information if they reapply for a federal job. TSA archives their file and digitize the file so the individual doesn't have to start from scratch.
3. Who pays?
 - The agency pays for the investigation
4. Is the process different for someone who is a new citizen?
 - They follow the same process but it may take a little longer during the investigation process.
 - It's a requirement to be a US citizen to receive a security clearance.
5. When might a student start this process? How early should the student start the process?
 - The student can't request that an investigation be conducted. It must be the employer who makes the request.
6. If the applicant is denied, will they know why?
 - Yes, the applicant will be informed of the rationale and they have an opportunity to respond to it.
7. Can clearances be transferred from one agency to another?
 - Each agency will review the clearance paperwork to determine if the background investigation meets their agency standards. In most cases having a security clearance in one agency helps to expedite the process in another through the recognition of reciprocity.