

INFORMATION PAPER

DAMI-CD

14 April 2008

SUBJECT: Obtaining and Maintaining a Security Clearance

1. **Purpose.** The intent is to provide background information on how to obtain and maintain a security clearance.

2. **Facts.**

a. Who is eligible for a security clearance:

An individual who requires access to classified information and/or who will occupy a sensitive position.

b. What is a security clearance:

An administrative determination by a competent national authority that an individual is eligible, from a security stand-point, for access to national security classified information. You must be a U.S. citizen to be eligible for a security clearance.

1. The Office of Personnel Management conducts Personnel Security Investigations (PSI)s for Department of Defense (DoD) military, civilians, contractor personnel, consultants, and other DoD agency personnel as authorized. These investigations are used by the DoD to determine if it is clearly consistent with the interests of national security to:

- grant an individual access to classified information;
- determine if access should be continued;
- determine an individual's eligibility for assignment to sensitive duties; and,
- determine if an individual should be accepted or retained in the U.S. Military.

2. The personnel security standard that must be applied to determine whether a person is eligible for access to classified information or assignment to sensitive duties is whether, based on all available information, the person's loyalty, reliability, and trustworthiness are such that entrusting the person with classified information or assigning the person to sensitive duties is clearly consistent with the interests of national security.

3. All of these areas present a view of the individual's entire character to the appropriate DoD officials so that DoD adjudicators have complete and accurate information on which to make an appropriate security determination.

c. Types of Security Clearances:

1. The scope of investigative work needed to grant a security clearance depends on the level of clearance being requested. There are three basic levels of security classification:

- **Confidential Clearance:**
an individual has access to information the unauthorized disclosure of which reasonably could be expected to cause damage to the national security that the original classification authority is able to identify or describe.
- **Secret Clearance:**
an individual has access to information the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security that the original classification authority is able to identify or describe.
- **Top Secret:**
an individual has access to information the unauthorized disclosure of which reasonably could be

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expected to cause exceptionally grave damage to the national security that the original classification authority is able to identify or describe.

c. A PSI may consist of one or more of the following inquiries:

- a search of investigative files and other records held by federal agencies such as the Federal Bureau of Investigations (FBI) and Office of Personnel Management (OPM);
- a review of appropriate criminal history records held by local law enforcement agencies, such as police departments or sheriffs, with jurisdiction over the areas where you have resided, gone to school, or worked covering a period of 5-7 years;
- credit checks;
- field interviews of references to include coworkers, employers, personal friends, educators, neighbors, and other appropriate individuals;
- checks of records held by employers, courts, and residences; or,
- a subject interview (an interview with you by an investigator).

d. Obtaining and maintaining a security clearance:

1. The adjudicative process is an examination of a sufficient period of a person's life to make an affirmative determination that the person is an acceptable security risk. Eligibility for access to classified information is predicated upon the individual meeting these personnel security guidelines. The adjudication process is the careful weighing of a number of variables known as the whole-person concept. Available, reliable information about the person, past and present, favorable and unfavorable, should be considered in reaching a determination. In evaluating the relevance of an individual's conduct, the adjudicator should consider the following factors:

- the nature, extent, and seriousness of the conduct;
- the circumstances surrounding the conduct, to include knowledgeable participation;
- the frequency and recency of the conduct;
- the individual's age and maturity at the time of the conduct;
- the extent to which participation is voluntary;
- the presence or absence of rehabilitation and other permanent behavioral changes;
- the motivation for the conduct;
- the potential for pressure, coercion, exploitation, or duress; and
- the likelihood of continuation or recurrence.

2. Each case must be judged on its own merits, and final determination remains the responsibility of the specific department or agency. Any doubt concerning personnel being considered for access to classified information will be resolved in favor of the national security.

3. The ability to develop specific thresholds for action under these guidelines is limited by the nature and complexity of human behavior. The ultimate determination of whether the granting or continuing of eligibility for a security clearance is clearly consistent with the interests of national security must be an overall common sense judgment based upon careful consideration of the following guidelines, each of which is to be evaluated in the context of the "whole person".

- **GUIDELINE A: Allegiance to the United States; *The Concern*.** An individual must be of unquestioned allegiance to the United States. The willingness to safeguard classified information is in doubt if there is any reason to suspect an individual's allegiance to the United States.

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- GUIDELINE B: Foreign Influence; *The Concern*. Foreign contacts and interests may be a security concern if the individual has divided loyalties or foreign financial interests, may be manipulated or induced to help a foreign person, group, organization, or government in a way that is not in U.S. interests, or is vulnerable to pressure or coercion by any foreign interest. Adjudication under this Guideline can and should consider the identity of the foreign country in which the foreign contact or financial interest is located, including, but not limited to, such considerations as whether the foreign country is known to target United States citizens to obtain protected information and/or is associated with a risk of terrorism.
- GUIDELINE C: Foreign Preference; *The Concern*. When an individual acts in such a way as to indicate a preference for a foreign country over the United States, then he or she may be prone to provide information or make decisions that are harmful to the interests of the United States.
- GUIDELINE D: Sexual Behavior; *The Concern*. Sexual behavior that involves a criminal offense, indicates a personality or emotional disorder, reflects lack of judgment or discretion, or which may subject the individual to undue influence or coercion, exploitation, or duress can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. No adverse inference concerning the standards in the Guideline may be raised solely on the basis of the sexual orientation of the individual.
- GUIDELINE E: Personal Conduct; *The Concern*. Conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rules and regulations can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. Of special interest is any failure to provide truthful and candid answers during the security clearance process or any other failure to cooperate with the security clearance process.
- GUIDELINE F: Financial Considerations; *The Concern*. Failure or inability to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness and ability to protect classified information. An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds. Compulsive gambling is a concern as it may lead to financial crimes including espionage. Affluence that cannot be explained by known sources of income is also a security concern. It may indicate proceeds from financially profitable criminal acts.
- GUIDELINE G: Alcohol Consumption; *The Concern*. Excessive alcohol consumption often leads to the exercise of questionable judgment or the failure to control impulses, and can raise questions about an individual's reliability and trustworthiness.
- GUIDELINE H: Drug Involvement; *The Concern*. Use of an illegal drug or misuse of a prescription drug can raise questions about an individual's reliability and trustworthiness, both because it may impair judgment and because it raises questions about a person's ability or willingness to comply with laws, rules, and regulations.
- GUIDELINE I: Psychological Conditions; *The Concern*. Certain emotional, mental, and personality conditions can impair judgment, reliability, or trustworthiness. A formal diagnosis of a disorder is not required for there to be a concern under this guideline. A duly qualified mental health professional (e.g., clinical psychologist or psychiatrist) employed by, or acceptable to and approved by the U.S. Government, should be consulted when evaluating potentially disqualifying

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and mitigating information under this guideline. No negative inference concerning the standards in this Guideline may be raised solely on the basis of seeking mental health counseling.

- GUIDELINE J: Criminal Conduct; *The Concern*. Criminal activity creates doubt about a person's judgment, reliability and trustworthiness. By its very nature, it calls into question a person's ability or willingness to comply with laws, rules and regulations.
- GUIDELINE K: Handling Protected Information; *The Concern*. Deliberate or negligent failure to comply with rules and regulations for protecting classified or other sensitive information raises doubt about an individual's trustworthiness, judgment, reliability, or willingness and ability to safeguard such information, and is a serious security concern.
- GUIDELINE L: Outside Activities; *The Concern*. Involvement in certain types of outside employment or activities is of security concern if it poses a conflict of interest with an individual's security responsibilities and could create an increased risk of unauthorized disclosure of classified information.
- GUIDELINE M: Use of Information Technology Systems; *The Concern*. Noncompliance with rules, procedures, guidelines or regulations pertaining to information technology systems may raise security concerns about an individual's reliability and trustworthiness, calling into question the willingness or ability to properly protect sensitive systems, networks, and information. Information Technology Systems include all related computer hardware, software, firmware, and data used for the communication, transmission, processing, manipulation, storage, or protection of information.

4. A Top Secret security clearance requires a Single Scope Background Investigation covering a period of 10 years; a secret/confidential security clearance requires either an Access National Agency Check and Inquiries (DoD civilians) or National Agency Check with Local Agency and Credit Check (military or contractor personnel) covering a period of 7 years.

5. In order to maintain your security clearance, a Periodic Reinvestigation (PR) is required every 5 years for a TOP SECRET Clearance, 10 years for a SECRET Clearance or 15 years for a CONFIDENTIAL Clearance.