

Policy for Background Investigations in Leased Space

1. General Policy. All Lessor personnel and contractors with routine access to the Government's leased space in:
 - Level IV GSA-leased facilities, or
 - Level III GSA-leased facilities with 100 percent Government occupancyfor a period greater than 6 months must submit completed fingerprint charts and personal history forms to obtain a background investigation. The client agency may also request such background investigations on a reimbursable basis.
2. Routine Access Defined. Routine access is defined as regularly scheduled access. For example, a contractor who reports to the facility on a regular basis in the performance of ongoing duties requires routine access must have a background investigation. An intermittent contractor, for example, one who is summoned for a service call as needed, is not required to have a background investigation.
3. Instruction. The manager of each PBS regional field office or service center must ensure that either the lease's background investigation clause is exercised or, if the clause is absent, that background investigations are conducted according to the following instructions:
 - a. Identify personnel requiring background investigations. In all existing Level IV leases and Level III leases with 100 percent Government occupancy where background investigations have not been completed or are not current, a designated PBS associate must consult with the client agency and FPS to identify which of the Lessor's personnel and contractors require background investigations.
 - b. Contact Lessor. The designated PBS associate must then contact the Lessor and provide fingerprint charts (FD-258, available from the Government Printing Office at <http://bookstore.gpo.gov>) and personal history forms (SF-85P, Questionnaire for Public Trust Positions, available from www.gsa.gov/forms) for the individuals identified as requiring background investigations. The sample letter in Attachment 3 may be used. The designated associate must then:
 - i. Confirm and document that the forms have been returned to the Government and forwarded to FPS within 30 days or as otherwise provided by the solicitation for offers (SFO);
 - ii. Document when the request was made to the Lessor, when the forms were forwarded to FPS, and when the investigations were completed; and,
 - iii. File this documentation in the lease file under Tab 10, Lease Administration.
 - c. Obtain credentials as necessary. When Lessor personnel have been identified as outlined above, the designated associate must contact the regional

credentialing officer to obtain the appropriate GSA-issued credential, as necessary, upon receipt from FPS of a successfully completed background investigation.

- d. Consult regional counsel. In cases where Lessors delay, resist, or refuse to provide required information, the contracting officer may consult regional counsel to assist in obtaining such information from Lessors. Contract clauses to be relied on include the existing Background Security Checks (NOV 2005) paragraph, if available, and the Changes paragraph in the SFO. Any difficulties with Lessors in meeting the requirements of HSPD-12 must be documented in the lease file under Tab 10, Lease Administration.
- e. Include new lease paragraph. The attached Verification of Contractor Personnel (MAY 2007) clause must be included in all new leases. This revised clause replaces Background Security Checks (NOV 2005). A copy of the revised solicitation for offers is available on PBS InSite and at www.gsa.gov/leasing.
- f. Adhere to compliance deadline. GSA must have completed background investigations, or have investigations in progress, no later than October 27, 2007 for all Level IV leases and Level III leases with 100 percent federal occupancy.