

ALCOHOL CONSUMPTION ALLEGIANCE TO THE UNITED STATES

# ADJUDICATIVE GUIDELINES

HANDLING  
PROTECTED  
INFORMATION

GOVERNMENT

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DUPLICATE CONDITIONS DUE PROCESS

INFLUENCE

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**So you need a Security Clearance...**



**HOW TO RECEIVE  
AND MAINTAIN YOUR  
SECURITY CLEARANCE**

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# INTRODUCTION

Whenever a Department of Defense employee or contractor requires access to classified national security information, the individual must be granted a security clearance at the proper level to access that information. A security clearance is a determination that a person is able and willing to safeguard classified national security information. The three security clearance levels are: Confidential, Secret, and Top Secret.

A prerequisite for accessing classified national security information is completion and favorable adjudication of a background investigation.

The investigation is noncriminal and covers a defined period of normally no more than the last 10 years. The information collected must be sufficient to allow an affirmative or negative determination of a person's eligibility for access to classified information and suitability for employment.

The adjudicative process is the careful weighing of a number of variables known as the "whole person concept." Available, reliable information about the individual, past and present, favorable and unfavorable, is considered in reaching a determination of eligibility. Eligibility for access is granted only where facts and circumstances indicate that access to classified information is consistent with the national security interests of the United States.



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# RECEIVING AND MAINTAINING YOUR SECURITY CLEARANCE

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## WHAT IS A “SECURITY CLEARANCE”?

A security clearance is a determination that you are eligible for access to classified information and eligible to perform sensitive duties.

Not everyone qualifies for a security clearance or occupancy of a sensitive position... only those people determined to be good security risks are given clearances and permitted to handle classified information or perform sensitive duties.

The purpose of a security clearance is to determine whether you are able and willing to safeguard classified national security information or perform sensitive duties, based on your loyalty, character, trustworthiness, and reliability.

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## WHAT IS “CLASSIFIED INFORMATION”?

Classified information is official information or material that requires protection in the national interest.

Classified information is national security information, which means that it relates to the national defense and foreign relations of the United States.

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## WHAT ARE “SENSITIVE DUTIES”?

If classified information is mishandled or given to the wrong person, it could harm our country’s security or that of our allies.

Sensitive duties are those duties which, although they do not include access to classified information, if performed by an untrustworthy individual, could cause harm to the national security. Some examples of sensitive duties include access to restricted areas, access to sensitive DoD equipment, or information technology (IT) positions where the individual works with unclassified automated information systems. Positions involving sensitive duties, with no access to classified information, are known as positions of trust.

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## WHY DO WE NEED CLEARANCES AND FAVORABLE PUBLIC TRUST DETERMINATIONS?

We need clearances to ensure that only trustworthy people have access to classified and sensitive information. Common sense and personal experience tell us that not all people are equally trustworthy.

The security clearance process is a tool that helps make sure national security information is not given to people who can’t be trusted.

**Within the DoD, each civilian position is categorized with respect to security sensitivity into one of four groups:**

- Special Sensitive
- Critical Sensitive
- Non-Critical Sensitive
- Non-Sensitive



### **Special Sensitive positions involve the following:**

- Access to Sensitive Compartmented Information (SCI)
- Access to unique or uniquely productive intelligence sources or methods vital to the U.S. security
- Positions that could cause grave damage and/or compromise technologies, plans, or procedures vital to the strategic advantage of the United States.

### **Critical Sensitive positions involve the following:**

- Access to Top Secret information
- Duties demanding the highest degree of public trust
- Duties under special access programs, or SAPs
- Information Technology (IT) I duties

### **Non-Critical Sensitive positions typically involve the following:**

- Access to Secret or Confidential information
- Duties requiring public trust
- Information Technology (IT) II duties

### **Non-Sensitive positions:**

- All other positions are designated as non-sensitive

### **Public Trust Determinations:**

Positions designated as presenting a “high” or “moderate” risk for adverse impact to the efficiency and integrity of the service are referred to as “Public Trust” positions. Those positions generally involve the following duties or responsibilities:

- Policy making
- Major program responsibility
- Public safety and health
- Law enforcement
- Fiduciary responsibilities
- Duties demanding a significant degree of public trust

## **HOW DO I GET A SECURITY CLEARANCE OR POSITION OF TRUST DETERMINATION?**

1. Your agency must identify your position as one requiring access to classified information, assignment to sensitive duties, or public trust position.
2. You then complete security forms (SF-85P, SF-86) or Electronic Questionnaires for Investigations Processing (e-QIP).
3. Your security office submits your forms or e-QIP to the Office of Personnel Management who will conduct an investigation.

The type of investigation depends on the sensitivity designation of your position and whether the duties require access to classified or sensitive information.

4. The completed investigation is reviewed by adjudicators who make clearance decisions.

Adjudicators look at the “whole person” depicted in the report of investigation. What that means is that they consider all available information, both “good” and “bad,” when making clearance decisions and apply the criteria for access to classified or sensitive information.

# GETTING CLEARANCE ELIGIBILITY

## ONCE I GET MY CLEARANCE ELIGIBILITY, CAN I SEE ALL CLASSIFIED INFORMATION?

No! Access to any classified information depends on the level of clearance eligibility you have (Confidential, Secret or Top Secret) and the information you need to know to do your job. This is called the need-to-know principle.

- With a Confidential clearance eligibility, you have access solely to that Confidential information which you actually need-to-know to do your job.
- Similarly, a Secret clearance eligibility enables access to Secret and Confidential information on a need-to-know basis.
- And, a Top Secret clearance eligibility enables access to Top Secret, Secret or Confidential information that you actually need-to-know to do your job.

Your organization's management determines what classified information you need to get your job done.

## HOW MUCH PERSONAL INFORMATION DO I NEED TO PROVIDE?

The amount of personal information you're asked to provide depends on the level of security clearance for which you're being nominated. Generally, you'll be required to complete the same questionnaire for all security clearance levels. However, the type of security clearance you are nominated for will determine the depth of the investigative coverage into your background.

- The investigation for a Top Secret clearance covers the last 7 to 10 years of your life.
- For a Secret clearance, only the last 5 years are checked.

If adverse information surfaces, deeper investigation into your background may be warranted.

## ARE THERE ANY HELPFUL TIPS FOR FILLING OUT THE QUESTIONNAIRE?

If you've filled one out before, it's helpful to have a copy of the previous one to refer to. If it's the first time you're filling one out, it will help if you verify the addresses where you've lived and worked, and or have on hand the addresses and phone numbers of people such as former supervisors, references, or former roommates.

You must provide accurate, complete, and honest answers to all of the questions on your security questionnaire. Incomplete or inaccurate information can delay your clearance because this information is required for processing your security clearance. False information is prohibited by law and punishable by fines and imprisonment. Remember, the information you provide will be verified during your investigation. If you have any questions about what to put in your security questionnaire, see or call your security officer, and then answer the questions to the best of your ability. If you doubt whether to provide certain information, it is always best to provide the information (and any clarification, if necessary). Your omission of adverse information may be interpreted by adjudicators as falsification of your security forms. That could cost you your clearance. Remember, when you sign your security forms, you are certifying completeness and accuracy under the penalty of prosecution.



The DSS Academy has a training video "Tips for e-QIP Submission." This video includes 10 tips for completing the SF-86 via e-QIP and is intended to aid in successful submission of your application. This video can be accessed by the way of the DSS Academy home page [http://dssa.dss.mil/seta/training\\_videos.html](http://dssa.dss.mil/seta/training_videos.html).

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## WHAT BACKGROUND AREAS ARE CHECKED?

Although different investigations are used for various levels of access, they all look at the same types of information:

- Your employment history
- Education
- Reference checks
- Your military service record
- Foreign activities and travel
- Your financial history
- Your police records (if any)
- Drug and alcohol abuse (if any)

## ADJUDICATIVE GUIDELINES

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### HOW IS THE SECURITY DETERMINATION MADE?

When your investigation is complete, it is sent to a Central Adjudications Facility (CAF). An adjudicator at a CAF will review all of the information, both “good” and “bad” (remember, the “whole person”) and assess it the information against the Federal Adjudicative Guidelines to decide if you’re eligible for a clearance or position of trust.

- If no significant adverse information turns up, you’ll be granted a clearance eligibility at the level requested by your agency.
- If significant, adverse material develops, it could mean that your case will be delayed until additional information is gathered and facts are verified. Ultimately, you may be denied a clearance.

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### WHAT ARE “ADJUDICATIVE GUIDELINES”?

The 13 Adjudicative Guidelines for determining eligibility for access to classified information and eligibility to perform sensitive duties are:

- Allegiance to the United States
- Foreign Influence
- Foreign Preference
- Sexual Behavior
- Personal Conduct
- Financial Considerations
- Alcohol Consumption
- Drug Involvement
- Psychological Conditions
- Criminal Conduct
- Handling Protected Information
- Outside Activities
- Use of Information Technology Systems



# DUE PROCESS



Clearances can be denied only on the basis of substantive information that raises trustworthiness. They are never denied on the basis of gender, race, religion or sexual orientation. DoD has gone to great lengths to ensure that the clearance process is fair and balanced. Clearances aren't denied without people getting a chance to give their side of the story –to explain or rebut the adverse information. This is called due process. It includes essential appeal rights, which people may opt to exercise to challenge clearance denials or revocations to an independent Clearance Appeal Board.

These rights include the option to either present a written appeal directly to the Board or to make a personal appearance before a DoD administrative judge that will be considered by the Board in its independent decision.

## HOW LONG DOES THE CLEARANCE PROCESS TAKE?

Generally, the clearance process can take anywhere from 2 to 9 months, depending on the type of investigation and whether serious issues were developed.

The background investigation for Top Secret clearance will normally take longer than the background investigation for Secret clearance.

The higher the clearance level, the deeper the investigation into your background, and the more time it is likely to take. If complicated issues come up during an investigation, it will likely take even longer. The completion time depends on several factors. Expect the investigation to take longer if you have:

- Lived or worked in several geographic locations or overseas
- Traveled outside of the United States.
- Relatives who have lived outside of the United States.
- Background information that is difficult to obtain or involves issues that require an expansion of your case





# CONTINUOUS EVALUATION

## SO, IS THAT ALL THERE IS?



Once the initial adjudication has been made and as long as you are assigned to a sensitive position or have access to classified information or material, you will fall under the Continuous Evaluation Program (CEP).

By definition, CEP involves the uninterrupted assessment of a person for retention of a security clearance or continuing assignment to sensitive duties. This ensures that you maintain high standards of conduct and that questionable conduct or activities are promptly reported for adjudicative assessment.

CEP also includes reinvestigation at given intervals based on the types of duties you perform and clearance level.

- Individuals in Critical Sensitive positions are reinvestigated every 5 years
- Those in Non-Critical Sensitive positions are reinvestigated every 10 years if they have access to Secret material, and every 15 years if the access is to Confidential information

# OBLIGATIONS

## NOW THAT I HAVE MY SECURITY CLEARANCE, WHAT ARE MY OBLIGATIONS?

- When you hold a security clearance, you are expected to comply with the high standards of conduct normally required of persons holding positions of trust. See “Personal Conduct.”
- You are expected to keep your security office informed of certain changes in your personal life or activities in which you might engage that have potential security ramifications. See “Self-Reporting of Personal Activities.”
- You are also expected to report any factual information that comes to your attention and that raises potential security concerns about co-workers. See “Reporting Responsibilities.”

# PERSONAL CONDUCT



Standards of conduct are set by Executive Order 12968 on Access to Classified Information. That presidential order directs that access to classified information is granted only to individuals “whose personal and professional history affirmatively indicates loyalty to the United States, strength of character, trustworthiness, honesty, reliability, discretion, and sound judgment, as well as freedom from conflicting allegiances and potential for coercion, and willingness and ability to abide by regulations governing the use, handling, and protection of classified information.”

Failure to comply with the standard may cause your eligibility for security clearance or occupancy of a sensitive position to be reviewed and possibly revoked.

The concept of continuing evaluation is an important part of the personnel security process. It means you are subject to periodic reinvestigation and to a reasonable degree of monitoring by supervisors, co-workers, and security professionals between investigations. These safeguards are necessary because situations and behaviors change over time. Experience shows that individuals approved for a security clearance or position of trust sometimes fall into a pattern of unreliable or untrustworthy behavior after being granted an initial clearance.

# SELF-REPORTING

## SELF-REPORTING OF PERSONAL ACTIVITIES



Although you may obtain a clearance or may be assigned to a sensitive position or position of trust, the initial adjudicative decision can be overturned at a later date if you concealed relevant information during the investigation or after the clearance was issued.

Employees who occupy positions of trust and handle sensitive information are expected to report changes or incidents that may impact their clearances.

The Adjudicative Guidelines can be a valuable tool in determining if a life-event or situation might result in a need to report. Self-reporting, while mandatory, emphasizes personal integrity and is preferable to the incident or change being discovered and reported by others.

The following are some examples of incidents and life events where reporting certain changes is expected or may be appropriate.

- **Change in Personal Status** - Marital status (marriage, divorce), cohabitation (living in spouse-like relationship, intimate relationship, or becoming engaged), change of name
- **Foreign Travel** - A security briefing before any foreign travel, whether for personal or business reasons, clearance for travel to hazardous countries for Sensitive Compartmented Information (SCI)-cleared individuals
- **Foreign Contacts** - Contact with individuals of any foreign nationality, either within or outside the scope of your official duties, in which illegal or unauthorized access to classified or otherwise sensitive information is sought, personal concern that you are a target of an attempted exploitation, all close and continuing relationships between SCI-cleared individuals and foreign nations
- **Loss or Compromise of Information** - Inadvertent or accidental loss or compromise of classified or other sensitive information because the first priority in such a situation is to regain control of the classified material
- **Financial Problems** - Filing for bankruptcy, garnishment of wages, having a lien placed on your property for failing to pay a creditor, eviction from a residence for failure to pay rent, or simply your inability to meet all your financial obligations
- **Arrests** - Any arrest, regardless of whether or not charges were filed, other involvement with the legal system (such as being sued), any circumstance where you were sworn under oath to testify about your association or involvement in questionable activities
- **Psychological or Substance Abuse Counseling** - When counseling is needed, you are encouraged to seek assistance from your employer-sponsored Employee Assistance Program (EAP) or other counseling service. Counseling for certain situations need not be reported if you sought the counseling on your own initiative to help you cope. Counseling must be reported if you were advised to seek counseling because of work performance or other undesirable behavior



Seeking help for life stressors does not reflect adversely on an individual's judgment. Instead, it may be viewed as a positive sign that an individual recognizes that a problem exists and is willing to take steps toward resolving it.

- **Outside Activities** - Any planned or actual outside employment or volunteer activity that could create a real or apparent conflict with your responsibility to protect office.
- **Media Contacts** - Any media inquiries about your job or organization should be reported: ongoing personal contacts with media representatives who cover your organization or your subject are specialty should be cleared with security.
- **Pre-Publication Review** - Any technical paper, book, magazine article, or newspaper article that you prepare for publication or for posting on the Internet, or lecture or speech that you prepare to give, must be cleared in advance if it contains information or knowledge you gained during your current or any previous job.

## REPORTING RESPONSIBILITIES



If you are entrusted with safeguarding classified material, or performing sensitive duties, you are expected to report potentially significant, factual information that comes to your attention and that raises potential security concerns about co-workers. You are also strongly encouraged to help co-workers who are having personal problems that may become a security issues if the problems are not addressed.

## SECURITY ISSUES



The following are examples of behaviors that may indicate an individual has vulnerabilities that are of security concern or that an individual is in need of assistance. This list is developed from the Federal Adjudicative Guidelines.

You should consider reporting these behaviors when observed, so that your supervisor or the security office can determine whether some type of preventive or investigative action is appropriate.

If ignored, problems signaled by these behaviors could impair the health, well-being, or performance of the individual employee, disrupt the work unit, or lead to compromise of sensitive information.



Early intervention is often the key to quick, effective resolution of problems with minimal or no impact to the individual or the organization.

Because an individual exhibits one or more of the following behaviors does not mean he or she is a security risk. A security judgment is based on a pattern of behavior, and not a single action. And, it is a whole person judgment that takes many factors into account, including strengths as well and weaknesses.

The list of security-relevant behaviors is not a checklist for you to collect information on your co-workers. It simply provides examples of behaviors that may signal an individual is having problems or may need assistance. Consider the list, along with everything else you know about the individual and the sensitivity of the individual's position, and then exercise your best judgment in determining whether to report, and what, when, and to whom to report.

## POTENTIAL SECURITY CONCERNS

### BEHAVIORS THAT ARE POTENTIAL SECURITY CONCERNS

The following are examples of behaviors that may indicate an individual has vulnerabilities of security concern or that an individual is in needs of assistance.

This list of behaviors is not all-inclusive. The list is not a statement of Government policy, but simply illustrative of the kinds of behaviors that may be considered when a person is under consideration for a security clearance or a position of trust. Some behaviors are obviously more significant than others.

### ALCOHOL CONSUMPTION



- Alcohol-related incidents at work, such as reporting to work or duty in an intoxicated or impaired condition, or drinking on the job
- Alcohol-related incidents away from work, such as driving while under the influence, fighting, child or spouse abuse, or other criminal incidents related to alcohol use
- Habitual or binge consumption of alcohol to the point of impaired judgment

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## ALLEGIANCE TO THE UNITED STATES

- Actual or threatened use of force or violence in an effort to change Government policy, prevent Government personnel from performing their assigned duties, or prevent others from exercising their constitutional rights
- Known participation in any organization or group advocating or threatening use of force of violence, as above

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## CRIMINAL CONDUCT



- Theft
- Fraud (for example, bribery or solicitation of bribes, misuse of a Government credit card, misuse of leave, fraudulent travel or expense accounting, or tax fraud)
- Pattern of disregard for rules and regulations (in addition to theft and fraud, this includes taking classified information home at night, or driving while intoxicated)
- Spouse or child abuse or neglect
- Attempts to enlist others to participate in illegal or questionable activity

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## DRUG INVOLVEMENT

- Use, possession, or acquisition of illegal/illicit substances
- Misuse (use other than as prescribed), inappropriate possession, or inappropriate acquisition of prescription medication

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## FINANCIAL CONSIDERATIONS



- Living or spending beyond one's means
- Unexplained affluence (unusually large or lavish purchases) or sudden large sums of cash that may indicate illegal source of income
- Calls at work from creditors
- Bounced or bad checks
- Garnishments, repossessions, unfavorable judgments, or other indications of financial difficulty
- Failure to make child or spousal support payments
- Reckless or compulsive spending, extensive gambling losses, or gambling debt
- Bankruptcy
- Improper handling of official finances or property, including repeated delinquent accountings for advances, and unexplained cash
- Shortages or loss of property, sloppy handling of cash funds, and disregard for financial or property administration regulations

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## PSYCHOLOGICAL CONDITIONS



- Pattern of significant change from past behavior, especially relating to increased nervousness or anxiety, unexplained depression, hyperactivity, decline in performance or work habits, deterioration of personal hygiene, increased friction in relationships with co-workers, isolating oneself by rejecting any social interaction
- Expression of bizarre thoughts, perceptions, or expectations
- Pattern of lying and deception of co-workers or supervisors
- Talk of or attempt to harm one's self
- Argumentative or insulting behavior toward work associates or family to the extent that this has generated workplace discussion or has disrupted the workplace environment
- Exploitation or mistreatment of others through intimidation or abuse of power or position
- Other disruptive workplace behavior that resists supervisory direction or counseling
- Verbal or physical threats toward work associates or family
- Inability to control anger –throwing things, acts of violence
- Stalking-type behavior (such as unwanted following or harassing phone calls)
- Extreme or recurrent statements of bitterness, resentment, vengeance, or disgruntlement that suggest a risk of some illegal or improper action
- Threats or attempts to get even with work associates, acts of vindictiveness

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## FOREIGN INFLUENCE



- Unreported personal contacts with personnel from a foreign intelligence service, foreign government, or persons seeking classified, proprietary, or other sensitive information
- Unreported close and continuing contact with a foreign national, including intimate contacts, shared living quarters, or marriage
- Unreported relatives, or unreported contact with relatives, in a foreign country
- Unreported relationship between relative, associate, or person sharing living quarters and any foreign government, foreign intelligence service, criminal or terrorist group, or group advocating disloyalty toward the United States

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## FOREIGN PREFERENCE

- Exercising benefits of dual citizenship, including possession and use of a foreign passport or other foreign identity documentation without approval
- A deeply held commitment to helping a foreign country or group that an individual that may show a preference over the U.S. or be tempted to circumvent U.S. policy or security regulations to assist the foreign country or group

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## USE OF INFORMATION TECHNOLOGY SYSTEMS



- Unauthorized entry into any compartmented computer system
- Unauthorized searching/browsing through classified computer libraries
- Unauthorized modification, destruction, manipulation, or denial of access to information residing on a computer system
- Unauthorized introduction of media into any Government computer system
- Storing or processing classified information on any system not explicitly approved for classified processing
- Attempting to circumvent or defeat security or auditing systems, without prior authorization from the system administrator, other than as part of a legitimate system testing or security research

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## OUTSIDE ACTIVITIES

- Failure to report paid or volunteer work for any U.S. or foreign media, publisher, academic institution, research organization or corporation relating to the topics on which one has access to classified information

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## PERSONAL CONDUCT



- Recurring pattern of poor judgment, irresponsibility, or emotionally unstable behavior
- Deliberate omission or falsification of material information about background when applying for security processing
- Association with persons involved in criminal activity
- Indications subject may succumb to blackmail rather than risk exposure of a personal issue

## HANDLING PROTECTED INFORMATION



- Persistent lax security habits despite management counseling (such as discussing classified information on non-secure phone, not properly securing classified information or areas, or working on classified material at home)
- Collecting or storing classified information outside approved facilities
- Revealing of classified information to unauthorized persons, including news media
- Inappropriate, unusual, or excessive interest in classified information outside one's need-to-know
- Statements or actions that demonstrate an individual believes the security rules do not apply to him/her

## SEXUAL BEHAVIOR

- Pattern of self-destructive or high-risk sexual behavior that the individual is unable to stop
- Criminal sexual behavior

# YOUR SECURITY CLEARANCE IS A CONTINUING RESPONSIBILITY

Are you able and willing to safeguard classified national information or perform sensitive duties? Your loyalty, character, trustworthiness, and reliability will determine your qualification for a security clearance or occupancy of a sensitive position. Your continued diligence in monitoring your behavior and responsibly dealing with life's events will help you maintain your qualification for a security clearance or occupancy of a sensitive position. Should you have any questions, contact your local security office.

