



Department of Defense INSTRUCTION

NUMBER 5210.60
December 4, 2005

USD(P)

SUBJECT: Security Clearance Program for U.S. Citizens Employed Directly By the North Atlantic Treaty Organization (NATO)

- References:
- (a) DoD Directive 5210.60, "Security Clearance Program for United States Citizens Employed Directly by the North Atlantic Treaty Organization (NATO)," January 30, 1990 (hereby canceled)
 - (b) Deputy Secretary of Defense Memorandum, "DoD Directives Review – Phase II," July 13, 2005
 - (c) Executive Order 11633, "Security Clearance Program for United States Citizens Employed Directly by the North Atlantic Treaty Organization, the South-East Asia Treaty Organization, and the Central Treaty Organization," December 3, 1971¹
 - (d) DoD Directive 5220.22, "National Industrial Security Program," September 27, 2004
 - (e) through (h), see enclosure 1

1. REISSUANCE AND PURPOSE

This Instruction reissues reference (a) as a DoD Instruction according to the guidance in reference (b). Under the authority of references (c) and (d), it provides the policies, standards, criteria, and procedure for U.S. citizens who require a NATO Security Clearance Certificate (NSCC) for direct employment by NATO civil or military organizations in positions involving access to NATO classified information. Such U.S. citizens are hereafter referred to as "applicants."

¹ This reference is available from <http://www.archives.gov/federal-register/executive-orders/1971.html>

2. APPLICABILITY AND SCOPE

This Instruction:

2.1. Applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the “DoD Components”).

2.2. Applies to U.S. citizens currently employed in a NATO direct-hire status as well as those applying for NATO direct-hire employment.

2.3. Does not apply to Federal employees detailed or transferred to NATO for duty with the international staff or a NATO command or agency.

3. POLICY

It is DoD policy to:

3.1. Maintain a security clearance program for U.S. citizens seeking direct-hire employment with NATO.

3.2. Administer the program according to the policies and procedures in reference (d) and DoD 5200.2-R (reference (e)).

4. RESPONSIBILITIES

4.1. The Under Secretary of Defense for Policy shall provide overall policy guidance and supervision for the administration of the program.

4.2. The Director, Defense Security Service, under the Under Secretary of Defense for Intelligence, shall administer the investigative procedures for all direct-hire personnel and apply procedures contained in DoD Directive 5220.6 (reference (f)) to applicant cases referred for adjudication.

4.3. The Heads of the DoD Components shall provide assistance, as required, including investigative support.

5. PROCEDURES

5.1. NSCC

5.1.1. NSCCs for applicants requiring access to NATO classified information shall be based on a background investigation conducted according to reference (e). If an applicant has been previously granted a U.S. security clearance, an NSCC can be issued if the prior investigation on which the clearance was based is not older than 5 years and no more than 24 months have elapsed since the termination of employment (either military, civilian, or defense contractor) for which the clearance was granted.

5.1.2. If an applicant is selected for direct-hire employment for the first time by NATO and has not previously been granted a U.S. security clearance, the NSCC shall be based on an investigative action completed not more than 12 months before the date of appointment. If an applicant has previously held an NSCC, but NATO has been separated from NATO for a period of more than 12 months and if, during that period, the individual has not been employed by the U.S. Government, the NSCC must be revalidated.

5.1.3. According to agreed NATO procedures, the assistance of other NATO member nations is anticipated in conducting investigations on applicants' periods of residence in a member nation. The results of those investigations shall be used by the Department of Defense for granting an initial security clearance eligibility or renewing the NSCC. Such investigations by other NATO member nations shall be construed to comply with the investigative scope requirements of reference (e).

5.1.4. According to applicable policies and procedures included in Chapter 10, Section 7 of DoD 5220.22-M (reference (g)), the Defense Industrial Security Clearance Office (DISCO) shall oversee cases in which the request for an NSCC contains the requirements for access to NATO ATOMAL information. This request shall be processed the same as in the Department of Defense for access to Restricted Data, Formerly Restricted Data, and Critical Nuclear Weapons Design Information.

5.1.5. Requests for an NSCC on behalf of an applicant shall be submitted by the NATO organization involved, through the U.S. Representative. NATO organizations that have no U.S. Representative and the NATO International Staff shall submit requests through the Security Officer, U.S. Mission to NATO at NATO Headquarters in Brussels, Belgium.

5.1.6. For initial investigations, the U.S. Representative or DSS shall verify the applicant's U.S. citizenship. Acceptable documents include:

5.1.6.1. A passport; a photocopy of the information page is submitted along with the clearance application form.

5.1.6.2. An original or certified copy of a birth certificate indicating that the individual was born in the United States.

5.1.6.3. An original or certified copy of a certificate of naturalization if the applicant claims citizenship by naturalization.

5.1.6.4. An original or certified copy of Form FS-240, "Report of Birth Abroad of a Citizen of the United States of America," Form FS-545 or DS-1350, "Certificate of Birth," or a "Certificate of Citizenship if Citizenship was Acquired by Birth Abroad to U.S. Citizen Parent or Parents."

5.2. DISCO

5.2.1. DISCO is the focal point for tracking and adjudicating personnel security investigations for U.S citizens that are hired directly by NATO civilian or military organizations. The investigations are performed by the U.S. Office of Personnel Management (OPM). Requests for an investigation may be submitted by mail to DISCO or by direct entry into the Joint Personnel Adjudication System (JPAS).

5.2.2. For submission by mail, the DSS, or the U.S. Representative involved, shall forward the request, along with confirmation of a firm offer of employment and, in the case of an applicant's initial investigation, the verification of U.S. citizenship described in paragraph 5.6., to:

Defense Industrial Security Clearance Office (DISCO)
Attn: International Branch (DOCI)
2870 Airport Drive
Suite 400
Columbus, OH 43219-2268

5.2.3. DISCO shall forward the following forms to the NATO organization concerned for completion by the applicant:

5.2.3.1. Questionnaire for National Security Positions (SF86 Format)

5.2.3.2. Fingerprint Card (FD-258)

5.2.3.3. Authorization for Release of Information

5.2.4. The Security Officer at the NATO command or agency shall return the completed forms directly to DISCO at the address shown in paragraph 5.2.2. The U.S. Representative shall ensure that another U.S. citizen or representative of NATO witnesses the taking of the applicant's fingerprints to verify that the person fingerprinted is the same as the applicant being processed for the clearance. The U.S. Representative shall ensure the Fingerprint Card is properly controlled and not allowed to remain in the possession of the applicant.

5.2.5. Upon receipt of the forms, DISCO shall enter the request for investigation into JPAS and OPM shall perform the investigation. The investigation shall be conducted on each

applicant according to the procedures in reference (e) and DoD 5220.22-R (reference (h)). The adjudicative criteria and guidelines in references (f) and (g) shall apply.

5.2.6. After a favorable determination of eligibility for access to NATO classified information has been made by DISCO, an NSCC may be issued or continued in effect.

5.3. DIRECT ELECTRONIC SUBMISSION

5.3.1. Those NATO organizations with access to JPAS shall submit an Electronic Questionnaire for Investigations Processing (e-QIP). The e-QIP application form and additional guidance is found at the JPAS web site <https://jpas.dsis.dod/.mil>. Assistance is also available by telephoning the DoD Security Services Call Center at 1-888-282-7682.

5.3.2. To alert DISCO that an investigation has been requested, e-QIP block 24, "Additional Comments," shall state, "DISCO – NATO DIRECT HIRE." Further, the submitting organization shall notify DISCO International Branch, telephone 1-614-827-1644, that a NATO eligibility has been requested.

5.3.3. When the e-QIP is sent, submitting organizations shall simultaneously forward to DISCO at the address shown in paragraph 5.6.1.1. a completed Fingerprint Card (FD-258) and an Authorization for Release of Information signed and dated by the applicant.

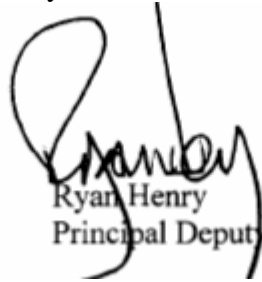
5.3.4. The procedures cited above apply similarly to 5-year reinvestigations required to revalidate a COSMIC TOP SECRET clearance and to 10-year reinvestigations to revalidate a NATO SECRET or NATO CONFIDENTIAL clearance.

5.3.5. When a favorable determination by DISCO cannot be made on the issuance or continuance of an NSCC, and an unfavorable personnel security determination is contemplated, as defined in paragraph DL1.1.29 of reference (e), the due process procedures in paragraph C8.2.3 of reference (e) shall apply. The cases shall be referred to the Defense Office of Hearings and Appeals (DOHA) for review action according to reference (g).

5.3.6. This Instruction shall not constitute authority for reimbursement by the Department of Defense of a NATO applicant for any alleged monetary loss.

6. EFFECTIVE DATE

This Instruction is effective immediately.

A handwritten signature in black ink, appearing to read "Ryan Henry". The signature is stylized with a large loop at the top and a long vertical stroke on the right side.

Ryan Henry
Principal Deputy Under Secretary of Defense for Policy

Enclosures - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD 5200.2-R, "DoD Personnel Security Program," January 1987
- (f) DoD Directive 5220.6, "Defense Industrial Personnel Security Clearance Review Program," January 2, 1992
- (g) DoD 5220.22-M, "National Industrial Security Program Operating Manual," February 1995
- (h) DoD 5220.22-R, "Industrial Security Regulation," December 1985