

April 23, 2013

AskPSMO-I Webinar: SF-312 Non-Disclosure Agreement

Guest Presenter
Nick Levasseur

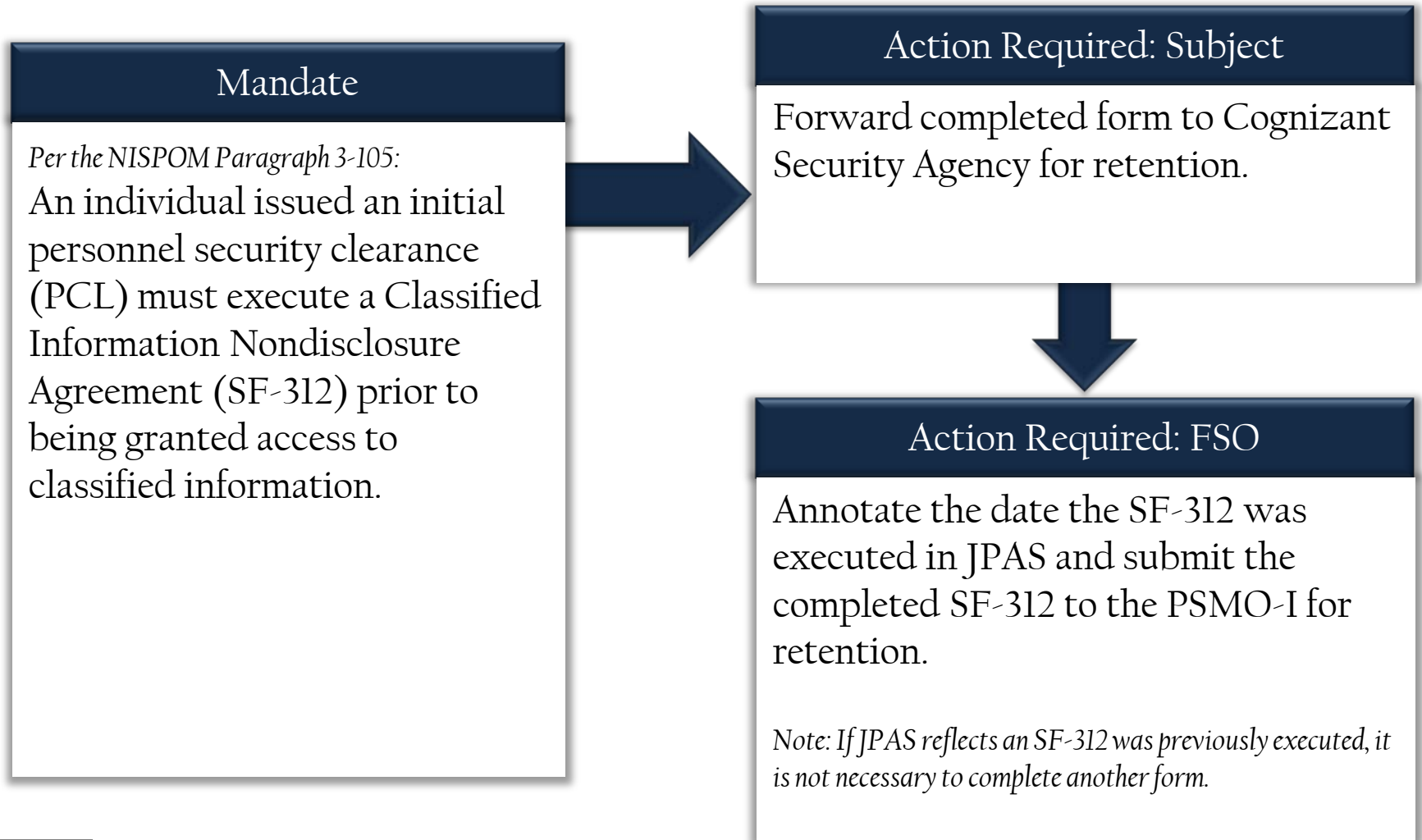
Host
Zaakia Bailey

Webinar Format

- Main Topic
 - SF-312s
- Current Trends
 - DQI-597
 - SWFT Vetting Form
 - eFP
- Webinar Schedule
- Q&A Session

Non-Disclosure Agreement (SF-312)

Overview



Resubmission Criteria

- You will be notified to resubmit a new SF-312 based on the following reasons:

Employee Social Security Number is incomplete or omitted

Witness signature is typed or omitted

Signature of employee is typed or omitted

Employee and witness signature dates are not the same

Document Transmission

- The form should be faxed or mailed:

Fax



443-661-1140
ATTN: SF-312
*Attach cover letter with
following information*

SF-312 Cover Letter Contents

- FSO Name
- FSO Phone Number
- FSO Fax Number
- FSO Email Address
- Subject Name
- Subject SSN

Mail



Defense Security Service
ATTN: PSMO-I
7556 Teague Road, Suite 500
Hanover, MD 21076

Data Quality Initiative 597



DQI-597

- Initiative:
 - USD/I directed DMDC to analyze data quality of records in JPAS where eligibility does not support the access level. An employee accessing classified information in error is of serious concern.
- What you need to do:
 - PROACTIVELY CHECK and VERIFY that Access is supported by Eligibility.
- When:
 - Implementation: Started 29 March
 - Frequency: Monthly

Note: For more information on the DQI-597 initiative, please review the [DQI-597 webinar](#) posted on the DSS Website and the [DMDC JPAS](#) homepage for updates.

SWFT Vetting Form Discontinued



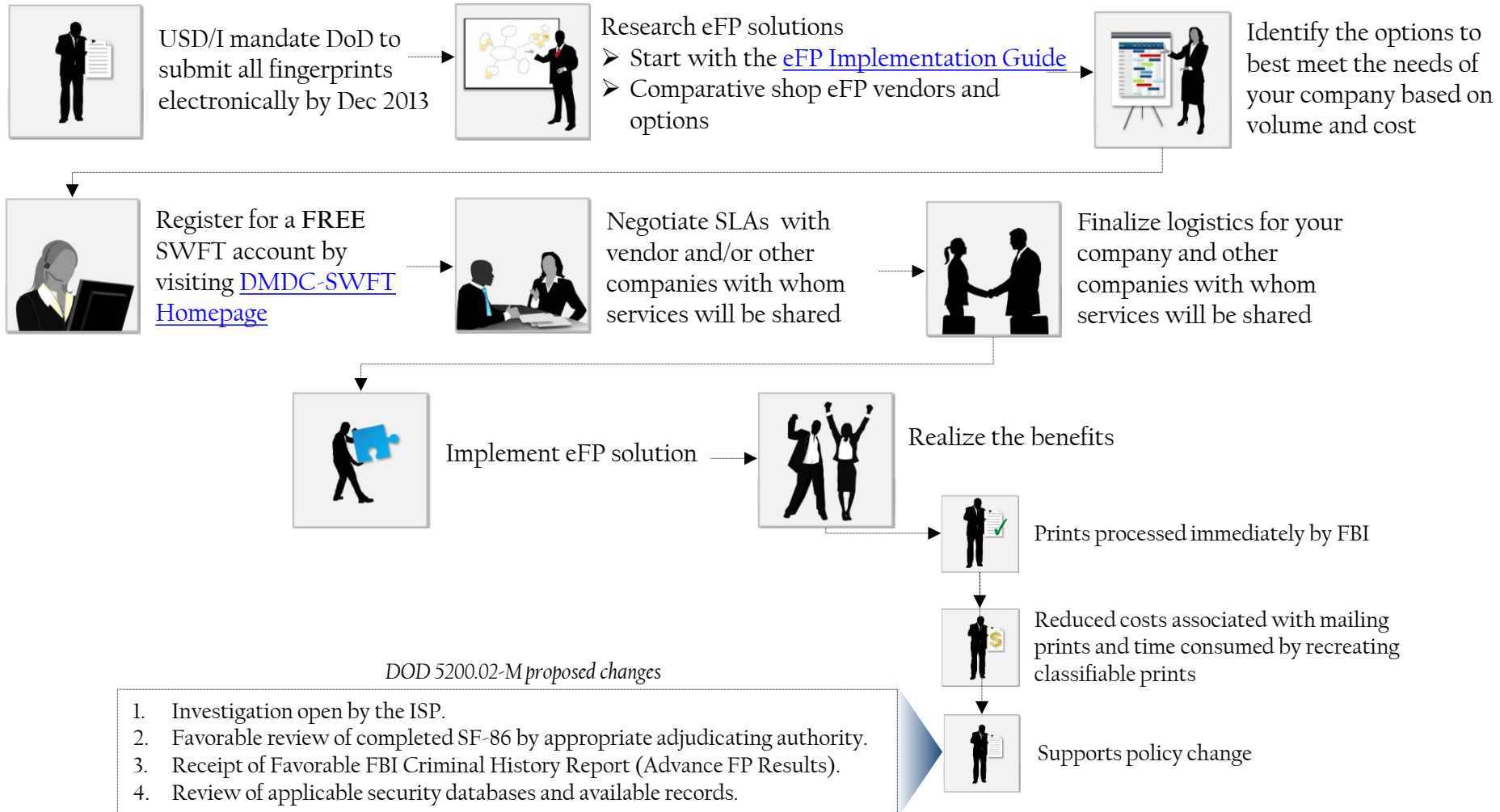
SWFT Vetting Form Discontinued

- Company Vetting Form is no longer required
- Companies that participate in the National Industrial Security Program (NISP) can proceed with applying for the [SWFT account](#)
- Submit the DSS Form 273 System Access Request (SAR) to DSS Call Center
 - See the SWFT Access, Registration and Testing Procedures for details
 - Having the SAR nominated and signed by your company's corporate official, such as the key management person (KMP), will help to expedite the processing of the SAR.
 - Continue to monitor the [SWFT Homepage](#) for updated SWFT submission guidance

eFingerprinting



eFP at a Glance



eFP Option 1

- **SCENARIO**
 - Company purchase eFP capture/hardcopy scanners to submit fingerprints electronically to SWFT
 - Refer to the FBI-certified product located on the [FBI-Product List](#)
- **COST**
 - Estimated: \$1,300- \$10,000
 - Beyond initial costs, this option may require a recurring maintenance fee for sustainment



Livescan



Hardcopy Scanner



SWFT Account

eFP Option 2

- **SCENARIO**

- Multiple companies share the cost of purchasing eFP capture/hardcopy scan devices
- If Company A is submits on behalf of Company B, that owning/servicing Facility Security Officer (FSO) does not have to be involved in the actual submission of the fingerprints to SWFT

- **COST**

- Estimated: \$1,300- \$10,000
- Beyond initial costs, this option may require a recurring maintenance fee for sustainment



Livescan



Hardcopy Scanner



Share Resources

eFP Option 3

- **SCENARIO**
 - Allows cleared companies to provide service to other companies in submitting eFPs to SWFT
 - Companies may use their CAGE Code to submit fingerprint files on behalf of other companies
- **COST**
 - Estimated: \$15-\$50 per print based on service level agreement
- **NOTE**
 - Companies are strongly encouraged to enter into a service level agreement to address handling/protection of PII data



Livescan



Cleared Company



Hardcopy Scanner

eFP Option 4

- SCENARIO
 - Vendor that is an [FBI approved channeler](#) collects eFPs, saves file in the required format per SWFT, OPM and FBI standards
 - Owning/servicing FSO uploads file to SWFT
- COST
 - Estimated: \$15-\$50 per print based on service level agreement
- NOTE
 - FSO must confirm equipment has been registered w/ SWFT prior to processing NISP applicants
 - DSS does not endorse a particular product or service. Companies depicted are currently tested and registered with SWFT and OPM
 - Companies are strongly encouraged to enter into a service level agreement to address handling/protection of PII data

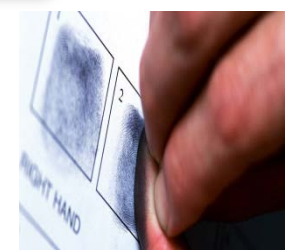


Livescan



Fieldprint

Capture Locations

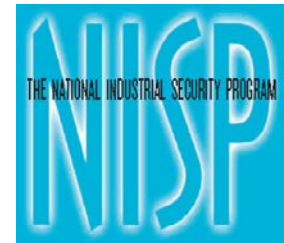


FD-258

eFP Option 5

- SCENARIO
 - Industry partners with military services and OGAs in the NISP for eFP submissions
- COSTS
 - No cost to Industry
- NOTES
 - DSS SOI/SON and IPAC are necessary when using this option
 - SOI (DDO3)
 - SON (346W)
 - IPAC (DSS-IND)
 - OPM matches fingerprint results to the SSN in the SF-86 submission to initiate the background investigation

DoD is working to enterprise SWFT across all populations (HSPD-12, Suitability and Security)



NISP Agencies



Department of Defense



Hardcopy Scanner

eFP Implementation Resources

AskPSMO-I Webinars

- Join the PSMO-I for its bi-monthly webinars where we answer specific questions related to eFP
 - ❖ Visit the [DSS website](#) for the webinar announcement and registration link
 - ❖ Be sure to submit questions during the registration process

Contacts

- Email questions to AskPSMO-I@dss.mil
- Email questions to dmdc.swft@mail.mil
- For SWFT Inquiries: [DoD Security Services Center](#)

eFP Setup & Submission

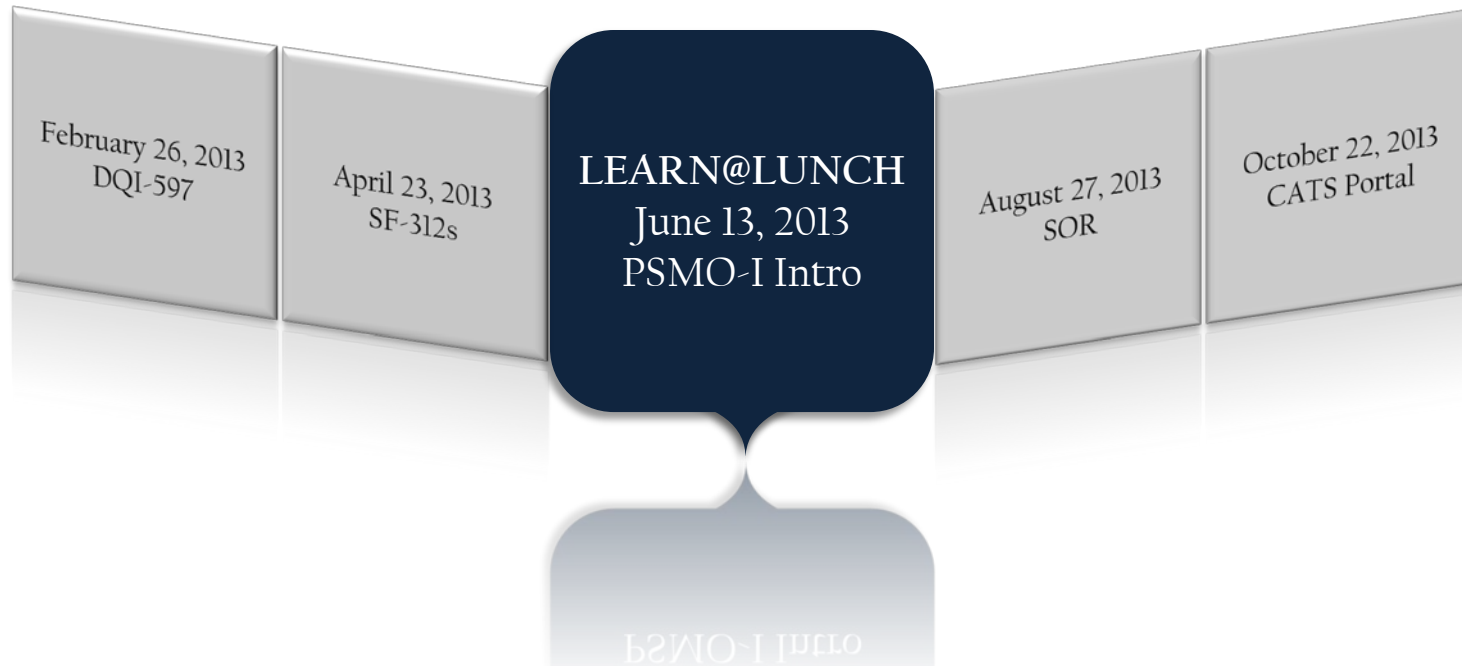
- [FBI Product List](#)
- [FBI Approved Channeler List](#)
- [SWFT - Registration, Access and Testing Procedures](#)
- [DMDC-SWFT Homepage](#)
- When submitting eFPs use:
SOI: DD03
SON: 346W
IPAC: DSS-IND

Note: Hyperlinks only work in "Slideshow View". Click Shift+F5

Administrative Remarks



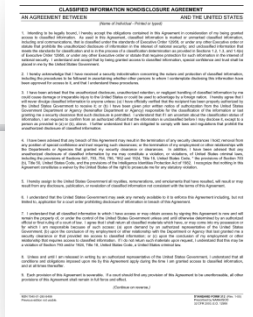
AskPSMO-I Webinar Schedule



THIS WEBINAR WILL BE HOSTED BY CDSE.
For questions please email CDSE@dss.mil

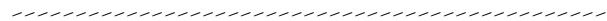
Intended Audience: All FSOs and anyone interested in learning about the new PSMO-I office
Time: 11:30AM EST & 2:30PM EST
Subject: Functions of the PSMO-I
Guest Presenter: Nicholas Levasseur, Planning Office

Q&A: SF-312



Q: Why are there multiple non-disclosure agreements ([SF-312s](#)) among the various agencies (DoD vs DHS)?

A: Due to the issuance of Executive Order 13467, the SF-312 now falls under the purview of the Office of Director of National Intelligence (ODNI).



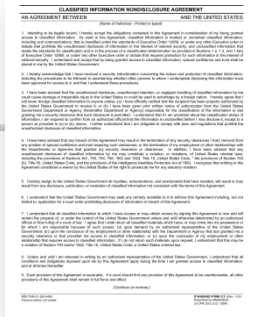
Q: As it relates to the witness signature block on the SF-312, which of the following would suffice:

- a. A person that is at least 18 years old?
- b. A person that is a clearance holder?

A: Neither. Per the [Classified Information Nondisclosure Agreement \(Standard Form 312\) Briefing Booklet](#),

“An authorized representative of a contractor, licensee, grantee, or other non-Government organization, acting as a designated agent of the United States, may witness the execution of the SF-312 by another non-Government employee, and may accept it on behalf of the United States. Also, an employee of a United States agency may witness the execution of the SF-312 by an employee, contractor, licensee or grantee of another United States agency, provided that an authorized United States Government official or, for non-Government employees only, a designated agent of the United States subsequently accepts by signature the SF-312 on behalf of the United States.”

Q&A: SF-312



Q: Is the PSMO-I now accepting SF-312s via encrypted email?

A: No, the PSMO-I is not accepting SF-312s via encrypted email at this time.

Q: Please address PII concerns with faxing SF-312s.

A: If your company or state prohibits the faxing of Personally Identifiable Information (PII) , continue to mail completed forms to:

PSMO-I, 600 10th Street, Suite 160, Ft. Meade, MD 20755-5136

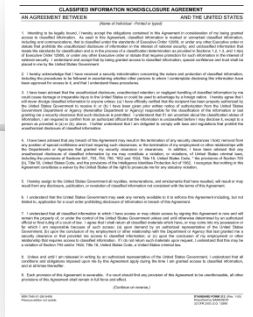
Q: According to recent guidance, the preferred method of transmitting the completed form is fax; do we still need to send the hardcopy document to DSS; file it locally (if so, for how long), give it to the applicant or destroy it?

A: Once you have provided a copy to the PSMO-I , there is no policy requiring you to send a hardcopy SF-312 or retain it locally.

Q: Will a centralized SF-312 database be implemented?

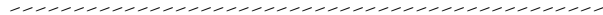
A: JPAS is currently used as the system of record for the execution date and CATS is used for electronic storage.

Q&A: SF-312



Q: Is it true that we are to hold the executed SF-312 for 50 years? If so, can you point me in the direction of the official guidance/policy?

A: There is no policy requiring you to store an executed SF-312. For more information, please see [Classified Information Nondisclosure Agreement \(Standard Form 312\) Briefing Booklet](#).



Q: The ISOO identifies Federal Government employees and company officers as persons who are authorized to execute an SF-312 for a new hire. In my research, I was unable to find any specific authorization of public notaries as personnel that can execute an SF-312 in the absence of either of two aforementioned persons. Although a public notary carries with them the power of the State Government and the force of perjury, is this an authorized means for SF-312 execution? What is the reference/authority?

A: Public Notaries are not an authorized means of SF-312 execution. Per the [Classified Information Nondisclosure Agreement \(Standard Form 312\) Briefing Booklet](#),

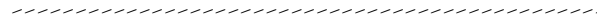
“An authorized representative of a contractor, licensee, grantee, or other non-Government organization, acting as a designated agent of the United States, may witness the execution of the SF-312 by another non-Government employee, and may accept it on behalf of the United States. Also, an employee of a United States agency may witness the execution of the SF-312 by an employee, contractor, licensee or grantee of another United States agency, provided that an authorized United States Government official or, for non-Government employees only, a designated agent of the United States subsequently accepts by signature the SF-312 on behalf of the United States.”

Q&A: SF-312



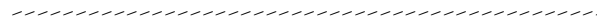
Q: Although industry is not required to execute a new SF-312 for personnel with an NDA date reflected in JPAS, are there advantage(s) or reason(s) of doing so?

A: There are no advantages to having the subject execute a new SF-312 as it does not enhance the security program.



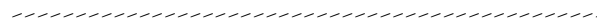
Q: Does an individual that is terminating employment or no longer needs a clearance have to sign the Debrief section of the SF-312?

A: No, the debrief section does not need to be completed.



Q: Do I need to submit a new SF-312 if I am taking ownership of someone who is already in JPAS?

A: The SF-312 and its predecessors have been purposely designed so that new nondisclosure agreements need not be signed upon changing jobs.

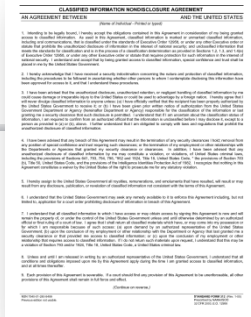


Q: Who is authorized to sign the acceptance block in the SF-312?

A: Per the [Classified Information Nondisclosure Agreement \(Standard Form 312\) Briefing Booklet](#) "...a designated agent of the United States subsequently accepts by signature the SF-312 on behalf of the United States."



Q&A: SF-312

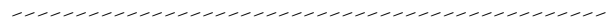


Q: If the individual is on the opposite coast or outside of the U.S., according to the statement below, another cleared contractor or U.S. Government agency could "witness and accept" the SF-312, correct?

Per the [Classified Information Nondisclosure Agreement \(Standard Form 312\) Briefing Booklet](#),

“An authorized representative of a contractor, licensee, grantee, or other non-Government organization, acting as a designated agent of the United States, may witness the execution of the SF-312 by another non-Government employee, and may accept it on behalf of the United States. Also, an employee of a United States agency may witness the execution of the SF-312 by an employee, contractor, licensee or grantee of another United States agency, provided that an authorized United States Government official or, for non-Government employees only, a designated agent of the United States subsequently accepts by signature the SF-312 on behalf of the United States.”

A: That is correct, another cleared contractor or U.S. Government agency could "witness and accept" the SF-312.



Q: Does DSS have the authority to clear out the NDA date in JPAS?

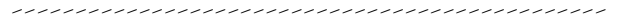
A: DSS would not remove NDA date in JPAS as it is valid for the term of the subject's need for classified information, including a possible future need.

Q&A: SF-312



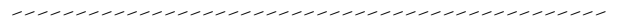
Q: We have technicians that are home based and located all over the country but don't live anywhere near our office or another co-worker, is it acceptable if I witness their signatures on the SF-312 via video conference?

A: There are no advantages to having the subject execute a new SF-312 as it does not enhance the security program.



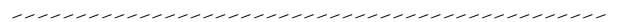
Q: Would it be possible to upload the SF-312 into JPAS as we do for the signature sheets for DSS?

A: Not at this time, only the signature forms can be uploaded into JPAS. There is future design to implement a portal that will allow the FSO's to upload the forms to DSS in a secure pathway.



Q: Does the date of the acceptance block have to be the same date as the witness and employee?

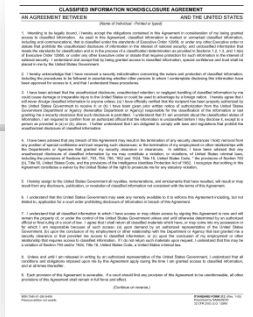
A: The acceptance block can be a later date. The dates that must match are the witness's and employee's signatures.



Q: Do I need to complete the SF-312 when the Interim Clearance comes in or when the Final Clearance comes in?

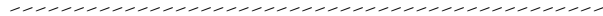
A: You should have the subject sign the SF-312 prior to granting them access with an Interim.

Q&A: SF-312



Q: Do you provide receipt for SF-312 mailed or faxed to you?

A: At this time we do not have the resources to send a confirmation on the SF-312s we receive. Our future design is related to a Secure Portal and you will have confirmation immediately upon submission.



Q: If someone gets their TS Clearance, do they have to read the first paragraph out loud (Oral Attestation) and initial to the left of it?

A: Yes, the first paragraph must be read aloud.

Per the Federal Acquisition Regulation, Section 252.204-7005:

“(a) Contractor employees cleared for access to Top Secret (TS), Special Access Program (SAP), or Sensitive Compartmented Information (SCI) shall attest orally that they will conform to the conditions and responsibilities imposed by law or regulation on those granted access. Reading aloud the first paragraph of Standard Form 312, Classified Information Nondisclosure Agreement, in the presence of a person designated by the Contractor for this purpose, and a witness, will satisfy this requirement. Contractor employees currently cleared for access to TS, SAP, or SCI may attest orally to their security responsibilities when being briefed into a new program or during their annual refresher briefing. There is no requirement to retain a separate record of the oral attestation.

(b) If an employee refuses to attest orally to security responsibilities, the Contractor shall deny the employee access to classified information and shall submit a report to the Contractor's security activity.”

Q&A: eFP/SWFT



Q: Is there a standing list available with the contact information of vendors that are offering the SWFT equipment for purchase, so we can compare prices?

A: At this time, DSS recommends that you visit the [FBI Product List](#) and [FBI Approved Channeler List](#) to get an idea of costs associated with gaining compliance. You can also send an email to the [SWFT PMO](#) if you have specific questions about a particular vendor working with SWFT.

Q: Can I get a SWFT account before I sign up with a sharing company?

A: Yes. A SWFT account is free and recommended for all FSOs as they move forward with eFP submission. There is no penalty for getting a SWFT account if you later elect Option 3, for example, and have another company submitting prints to SWFT on your behalf. Bottom line: it's a win-win!

Q: Our company hires many contractors who work all over the US and we are a remote office. What options are there for this situation in regards to electronic fingerprinting?

A: Option 4 would be the best scenario in this particular instance, as it allows the FSO the opportunity to send subjects to remote locations/service providers to have their prints captured and processed on the back end. With Option 4, you may also find that vendors will allow you or the subject to mail in their FD-258 cards for conversion to an electronic fingerprint file. Both of these scenarios have costs associated with these services.

Q&A: eFP/SWFT



Q: Please define Industry Site Administrator and Industry User in SWFT?

A: For questions specific to SWFT roles and definitions, please email dmcdc.swft@mail.mil.

Q: How do we process e-fingerprints for smaller companies, so their records will reflect the proper CAGE Code?

A: It is not necessary to submit electronic fingerprint files using another CAGE Code. However, the "Multiple-Company Uploader" role will allow you to submit fingerprints for other CAGE Codes.

Q: During the webinar, I saw "Multiple-Company Uploader" option mentioned several times during the webinar, but can't find it anywhere on the SAR form. Where is that option?

A: For questions specific to SWFT roles and definitions, please email dmcdc.swft@mail.mil.

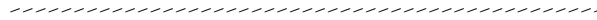
Q: During the webinar, you stated that fingerprints will be populated into JPAS and you can go into JPAS to check they are there? Where is this posted in JPAS?

A: To clarify, fingerprints **will not** be populated in JPAS, however, the fingerprint results will be noted in the "SII" section of JPAS in the form of a complete "SAC".

Q&A: Other

Q: You stated that they will not have a seminar until June 2013. I received an email that there is another webinar on Apr 25-Thursday on "Seasonal Employee Category in JPAS." Has this been cancelled?

A: No, the "Seasonal Employee Category in JPAS" webinar **has not** been cancelled. That webinar is produced and hosted by CDSE which is completely separate from the PSMO-I webinars.



Q: Is it still recommended to have a primary/secondary account manager at a company and have that account manager open accounts for their company employees?

A: Based on the policy set in the SWFT Access, Registration, and Testing Procedures, it is still recommended to have a primary/secondary Account Manager, and then have that Account Manager open User accounts for the company employees.

Attachments

- In addition this presentation, you should have received the following:
 - SF-312 Webinar Certificate of Completion
 - Electronic Fingerprint Implementation Guide April 2013
- NLT than 7 May 2013, the following will be posted to the [DSS website](#) for further review and download:
 - AskPSMO-I SF-312 Webinar Slides w/ FAQ (.pdf)
 - SF-312 Webinar Certificate of Completion
 - Electronic Fingerprint Implementation Guide April 2013 (already available)
 - Webinar Teleconference Recording (.mp3)