

Frequently Asked Questions Regarding: 2018 Implementation of Interim Backlog Mitigation Measures for Entities Cleared by DOD under the National Industrial Security Program

1. What is the DoD Continuous Evaluation Program?
 - Answer: The DoD Continuous Evaluation (CE) program is an ongoing screening process to review the background of an individual who is assigned to a sensitive position or has access to classified information. CE leverages automated record checks and applies business rules (aligned to the Federal Investigative Standards) to assist in the ongoing assessment of an individual's continued eligibility.

2. What is PR deferment into CE?
 - Answer: Deferment refers to the process implemented by DoD, in July 2018, and currently being used by departments and agencies to permit the focus of investigative resources on the inventory of pending initial investigations. New reinvestigation requests are screened using a risk management based approach, where the Standard Form 86 (SF-86) is analyzed using deferment protocol(s) and is identified for either enrollment in Continuous Evaluation (CE) or submission to an Investigation Service Provider (ISP) for a reinvestigation. This process was authorized by both the Director of National Intelligence, in his capacity as the Security Executive Agent, and the Director of the Office of Personnel Management, in his capacity as the Suitability & Credentialing Executive Agent, through the issuance of the June 2018 memorandum "Transforming Workforce Vetting: Measures to Reduce the Federal Government's Background Investigation Inventory in Fiscal Year 2018."

3. Is there still a requirement to submit investigation requests for periodic reinvestigations (PRs)?
 - Answer: Yes. You are still required to submit a completed SF 86 and the reinvestigation request, six years from the date of last investigation for T5Rs (in accordance with January 2017 guidance) and ten years from the date of the last reinvestigation for T3Rs.

4. Does the PR deferment and enrollment into CE include the TS/SCI population?
 - Answer: Yes.

5. Does the PR deferment and enrollment into CE include the Special Access Program (SAP) population?
 - Answer: Yes; for specific requirements appropriate references can be found in the Office of the Under Secretary of Defense for Intelligence Memorandum, "Supplemental Guidance for Reciprocity of Background Investigations and National Security Adjudications," dated October 22, 2019. A copy of the above memorandum is located on page 3 of this document for ease of reference.

6. Will reciprocity be impacted if an individual is enrolled in the DoD Continuous Evaluation Program and their investigation is deferred?
 - Answer: No. National policy and DoD policies mandate the reciprocal acceptance of deferred investigations
7. Does the deferment include investigation requests supporting non-DOD agencies/signatories within the NISP?
 - Answer: Yes, personnel performing on contracts for NISP signatories are included.
8. Will I be notified when a submitted PR request has been deferred and enrolled in CE?
 - Answer: Yes. Vetting Risk Operations Center (VROC) will send a Joint Personnel Adjudication System (JPAS) message advising when the Subject's investigation has been stopped in JPAS and the Subject has been enrolled in CE. We ask that facility security officers inform any subjects deferred of their status, so that in the event they transfer to new employment, their new security manager can verify their deferment status directly. The Department of Defense (DoD) Continuous Evaluation (CE) enrollment history records are also now visible in the Defense Information Security System (DISS). The CE enrollment history will display the CE enrollment reason code and the date of the enrollment or dis-enrollment into the DoD's CE program. Any DISS user with general access will be able to see this information on the subject's summary page.
9. What can I or a government customer do to confirm deferment status?
 - Answer: To confirm PR deferment status, log into DISS and review the Continuous Evaluation section under the Basic Info tab. If your subject is enrolled in CE, the summary will reveal their enrollment history. The CE enrollment history will display the CE enrollment reason code and the date of the enrollment or dis-enrollment into the DoD's CE program. Valid enrollment reasons displayed in CE history section of DISS **Deferred Investigation**: the individual was enrolled into the CE program based on deferment of a reinvestigation. **Other**: the individual was enrolled as part of the overall DoD effort to enroll eligible civilian, military and industry personnel with a national security clearance into the DoD CE program. **Unenrolled**: the individual is no longer enrolled into the DoD's CE program. If your subject is not enrolled, the summary will remain blank and state "No records found." This individual has not ever been enrolled into the DoD's CE program. What is the screening criteria for deciding who will be enrolled into CE or submitted for the traditional ISP investigation process?
10. When should a PR be submitted, if an individual is enrolled in CE?
 - Answer: PRs are still required to be submitted on all individuals who have not had a PR deferment. The previously closed investigation date will be used to determine when the PR will be submitted.

Though future state requirements may require the use of the CE enrollment date to determine when to submit an SF86 on an individual who has had a PR deferment, no PR

deferred individuals will be within a window requiring a PR request until at least August 2023.

11. What should I do if a government customer requests an open investigation date be reflected in JPAS?

- Answer: The Office of the Under Secretary of Defense for Intelligence signed a memorandum on December 7, 2016, "Personnel Security Clearances in Industry," reminding DoD Components that personnel security clearances do not expire. Individuals with current eligibility in JPAS, or its successor system, should not be denied access based solely on an out-of-scope investigation. A copy of the above memorandum is located on page 5 of this document for ease of reference. If you encounter any challenges with this process, please email dcsa.ncr.dcsa-dvd.mbx.askvroc@mail.mil for assistance.

12. We started noticing yesterday that the VROC had added some new verbiage to its CE notifications. Does this mean we will no longer receive notifications for each employee and will instead have to check each employee's DISS record in 30 days to see if they were actually enrolled in CE or if the investigation was forwarded to the ISP for processing

- Answer: There has been an update to the process for deferred Periodic Reinvestigations (PR) as well as the verbiage for JPAS notifications on PRs that will be enrolled into Continuous Evaluation. In accordance with the criteria identified by the Undersecretary of Defense for Intelligence (USDI) Memorandum dated 27 July 2018 for Implementation of Measures to Reduce the Federal Government's Background Investigation Inventory in Fiscal Year 2018. Investigation requests that meet deferment criteria will be stopped in JPAS. A JPAS notification will be sent upon transmission for CE enrollment review as opposed to the actual successful CE enrollment date. The process change is an effort to better align with the internal schedule of the system enrollment that occurs.

When a PR request is received and reviewed for deferment into CE, DMDC conducts a series of additional manual checks to ensure successful enrollment. If a case fails to automatically enroll into CE, VROC will resume the investigation request and send a subsequent message to notify all Security Management Offices (SMO) of the CE enrollment failure and transmission for traditional PR Background Investigation (BI). Once the investigation is completed, the DoD CAF will review for adjudication.

Data reconciliation may take place during the BI process and CE enrollment will be automatically attempted throughout. If the automatic attempts fail, final adjudication of the PR will enroll the individuals into DoD CE.

Once the subject has been successfully enrolled into DoD CE, DISS will reflect the date and type of enrollment. No additional action is required for the FSO. If you have any questions, please contact VROC at dcsa.ncr.dcsa-dvd.mbx.askvroc@mail.mil.



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APR 02 2019

MEMORANDUM FOR DIRECTORS OF THE DOD COMPONENT AND PRINCIPAL STAFF
ASSISTANT SPECIAL ACCESS PROGRAM CENTRAL OFFICES

SUBJECT: Implementation Guidance - Bridging the Gap to Continuous Evaluation Enrollment
in Support of the Special Access Program Nomination Process

References: (a) DoDM 5205.07-V2, Special Access Program (SAP) Security Manual: Personnel Security, November 24, 2015
(b) OUSD(I) Memorandum, "Department of Defense Guidance for the Implementation of Measures to Reduce the Federal Government's Background Investigation Inventory in Fiscal Year 2018", July 27, 2018
(c) OUSD(I) Memorandum, "Extension of Periodic Reinvestigation Timelines to Address the Background Investigation Backlog", January 17, 2017

In an effort to improve the personal security process for the Department of Defense, the Under Secretary of Defense for Intelligence (USD(I)) is moving to replace the current periodic investigation requirement with a system called Workforce Vetting that blends the Continuous Evaluation (CE) of all personnel with lesser, tailored, requirements for periodic investigation. Although USD(I) is working aggressively to burn down the backlog of investigations and enroll personnel in Continuous Evaluation, the full transition to Workforce Vetting is not expected until late 2020.

The current investigation backlog has resulted in more than thirty thousand "out-of-scope" investigations for Special Access Program (SAP)-cleared personnel which has placed a *strain on operations and security personnel across the Department. This memo provides two methods consistent with USD(I) policy to accelerate SAP access nominations for out-of-scope investigations. The first is enrollment of the individual into CE, and the second is to request an exception to the requirement when submitting the Program Access Request (PAR).*

To standardize SAP access nominations for "out-of-scope" personnel, effective immediately, the PAR process is supplemented as follows:

- a) Nominee must have a completed or open investigation recorded in Joint Personnel Adjudication System (JPAS), Scattered Castles (SC) or Defense Information System for Security (DISS) not older than 6 years from date of SAP nomination, or;
- b) If the nominee is enrolled in CE as recorded in DISS or SC:
 - The SAP Personnel Security Official (SPO) will validate CE enrollment on the Program Access Request (PAR) on the date an eligibility determination is rendered and *will* add the comment, "CE enrollment validated in *DISS*." in the remarks section of the PAR.

- The SPO will reflect favorable JPAS or SC results in block 25.
- c) If unable to meet either of the requirements listed above, the Requester may seek an exception to the requirement with a Letter of Compelling Need (LOCN) or in block 26 of the PAR.
 - The compelling need should be clearly stated, and sufficient to address risk **acceptance** of the nominee's out-of-scope condition. The justification will clearly reflect why the nominee is the best or only available fill for the position, specific qualifications required, and the benefit to the program by their access.
 - The Oversight Authority (QA) or Cognizant Authority (CA) SAPCO will acknowledge risk acceptance in block 35 of the PAR.

As a reminder, any initial background investigations or periodic reinvestigations with adverse information will still require formal investigation and adjudication. Please contact DoD SAPCO Security with any questions at (703) 697-1282.

cc: OUSD(I) CI&S

Dawn M. Dunlop Major General, USAF
Director, DoD Special Programs



INTELLIGENCE

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DEC - 7 2016

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Personnel Security Clearances in Industry

It has come to my attention that Department of Defense (DoD) Components are denying contractor employees access to defense facilities and classified information because the contractor employees have a personnel security clearance based on an out-of-scope investigation. Recent delays in processing background investigations have resulted in many periodic reinvestigations (PRs) being overdue.

Personnel security clearances (PCLs) do not expire. Contractor employees are eligible for access to classified information if current eligibility is indicated in the Joint Personnel Adjudication System (JPAS) or replacement system of record. An individual with current eligibility in JPAS should not be denied access based on an out-of-scope investigation, unless DoD is aware of relevant derogatory information related to an individual's continued eligibility for access. However, when the system of record flags an individual as having current adverse information, and eligibility is still valid, access may continue.

Please ensure that this memorandum receives widest dissemination. The point of contact is Mr. Justin Walsh at (703) 692-3597 or justin.a.walsh.civ6@mail.mil.

A handwritten signature in blue ink, appearing to read "Garry P. Reid".

Garry P. Reid
Director for Defense Intelligence
(Intelligence & Security)

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