



ADJUDICATIONS

Conditional Eligibility Determinations Fact Sheet

What is a Conditional Eligibility Determination?

In accordance with SEAD4, an adjudicator may determine that “information is serious enough to warrant a recommendation of denial or revocation of the national security eligibility, but the specific risk to national security can be managed with appropriate mitigation measures.” The information and issues may be identified upon initial review of an investigation, incident report, or after review of a response to a Supplemental Information Request (SIR) or Statement of Reasons (SOR). Only issues related to the following five (5) Adjudicative Guidelines may warrant a Conditional Eligibility Determination: Sexual Behavior, Financial Considerations, Alcohol Consumption, Drug Involvement and Substance Misuse, and Criminal Conduct. If an adjudicator is able to make a final favorable national security eligibility determination, they will do so; however, if there are guideline issues present that are not explicitly mitigated, but for which the risk to national security can be monitored through the Vetting Risk Operations (VRO) Continuous Eligibility/Continuous Vetting (CE/CV) program, then a Conditional Eligibility Determination may be rendered.

Who qualifies for a Conditional Eligibility Determination?

Military members and DCSA Adjudications-serviced civilian personnel enrolled in CE/CV.

How does this differ from prior Conditional Eligibility Determinations?

Prior Conditional Eligibility Determinations relied upon the Subject providing specific information within a required amount of time via their Security Manager to legacy adjudications facilities or directly to their Command. For the latter, if no information was provided, that was relayed to the adjudicator for additional action as appropriate. In the current process, the Subject, Security Manager, and Commander are NOT required to provide any additional reporting correspondence. DCSA Adjudications now balances risk management via Automated Records Checks (ARCs) at VRO. As the ARCs provide real time data, the need for follow-up correspondence is minimized.

What is required of the Security Manager? And of the Subject?

Security Managers: The Conditional Eligibility Determination Request for Action (RFA) is currently present in the Defense Information System for Security (DISS) and functions the same as other RFAs. Once the RFA is claimed, provide the Conditional Eligibility Determination Letter to the Subject and Commander within 30 days. Upon receipt of the Letter, the Subject should indicate whether or not they will abide by the Conditional Determination Letter by signing the Acknowledgement of Receipt (AOR). Once completed, upload the AOR and return to DCSA Adjudications via DISS. Once the AOR is received, Adjudications will determine whether a) Subject agrees to abide by the Conditional Eligibility Determination, after which the Conditional Eligibility will be granted in DISS, or b) Subject does not agree to abide by the Conditional Eligibility Determination, after which either issue resolution will be conducted or due process will begin. There will be no Tracer conducted for a Conditional Eligibility Determination. If no AOR is received within 30 days, Adjudications will either conduct issue resolution or initiate due process.

Subjects: As described above, the initial responsibility placed upon the Subject is completion of the AOR. Once the Subject agrees to abide by the Conditional Eligibility Determination, their remaining responsibilities extend to resolution of their guideline issue(s), with no need to report those attempts to DCSA Adjudications, and/or refraining from continued derogatory behavior.

Is the Conditional Eligibility Determination removed and replaced with a final national security determination?

In accordance with DoD Manual 5200.02, Procedures For the DoD Personnel Security Program (PSP), “Adjudicators must document eligibility determinations issued with conditions...and revisit the determination annually until the conditions are removed.” After one year, present no additional unmitigated derogatory guideline issue information, DCSA Adjudications will grant a final favorable national security eligibility in DISS, thereby removing the Condition.

If there are questions about this process or assistance is needed, please contact the DCSA Adjudications Call Center at (301) 833-3850 or dcsa.meade.dcsa-dvd.mbx.dodcaf-callcenter@mail.mil.

DCSA Adjudications will not consider requests for Conditional Eligibility Determinations. Please do not send correspondence requesting Conditional Eligibility Determinations for specific subjects.

