



RECEIVE AND MAINTAIN YOUR
NATIONAL SECURITY
ELIGIBILITY



CDSE Center for Development
of Security Excellence

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Introduction

Whenever a Department of Defense (DOD) employee or contractor requires access to classified national security information and/or assignment to a national security sensitive position, the individual must be granted national security eligibility at the proper level to access that information or occupy said position.

A national security eligibility is a determination that a person is able and willing to safeguard classified national security information and/or occupy a national security sensitive position. The three national security clearance eligibility levels are: Confidential, Secret, and Top Secret.

The prerequisites for accessing classified national security information and/or assignment to a national security sensitive position are a favorably adjudicated national security background investigation, signature of the Classified Information Nondisclosure Agreement (SF312), and having a “Need-To-Know.”

This is not the same as a criminal investigation 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/or assignment to a national security sensitive position.



The adjudicative process is an examination of a sufficient period and a weighing of a number of variables of an individual’s life to make an affirmative determination that the individual is an acceptable security risk. This is known as the “whole person” concept.

Eligibility for access is granted only when facts and circumstances indicate that access to classified information or assignment to a national security sensitive position is consistent with the national security interests of the United States.

What is NATIONAL SECURITY ELIGIBILITY?

A national security eligibility is a determination that you are eligible for access to classified information and/or eligible to hold a national security sensitive position.

Not everyone is granted a favorable eligibility determination. Only those reasonably determined not to be a national security risk are granted eligibility and permitted to handle classified information and/or hold a national security sensitive position.

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

What is CLASSIFIED INFORMATION?

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

National security encompasses both the national defense and the foreign relations of the United States.

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



What is a NATIONAL SECURITY SENSITIVE POSITION?

National security sensitive positions are designated positions that do not require access to classified information but require performing sensitive duties related to national security.

If these duties are performed by an untrustworthy individual, there is a potential for harm to national security.

Some examples include the need to access restricted areas, sensitive DOD equipment, or information technology (IT) systems.

Why do we NEED NATIONAL SECURITY DETERMINATIONS?

We need national security determinations to ensure that only trustworthy people have access to classified information and/or hold national security sensitive positions.

Common sense and personal experience tell us that not all people are equally trustworthy.

The national security eligibility process is part of the Personnel Security Program, and aims to protect national security by ensuring that only loyal, trustworthy, and reliable individuals have access to classified information or be assigned to national security sensitive positions.



POSITION DESIGNATION

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)
- Positions that could cause inestimable damage to the national security and/or immeasurable compromise to technologies, plans, or procedures vital to the strategic advantage of the United States

CRITICAL-SENSITIVE positions involve the following:

- Access to Top Secret information
- Positions which have the potential to cause exceptionally grave damage to the national security

NONCRITICAL-SENSITIVE positions typically involve the following:

- Access to Secret or Confidential information
- Positions which have the potential to cause significant or serious damage to the national security

NON-SENSITIVE positions:

- Positions not having the potential to adversely impact national security
- Non-sensitive positions do not require access to classified information or assignment to national security sensitive duties



Obtaining Eligibility

Once I receive my eligibility,

CAN I ACCESS ANY CLASSIFIED INFORMATION?

No! Access to any classified information depends on the level of your eligibility determination (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 eligibility determination, you have access solely to that Confidential information you actually need-to-know to do your job.
- Similarly, a Secret eligibility determination enables access to Secret and Confidential information on a need-to-know basis.
- A Top Secret eligibility determination 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 access to in order to get your job done.

“need-to-know”

How much PERSONAL INFORMATION DO I NEED TO PROVIDE?

The amount of personal information you are asked to provide depends on the level of national security eligibility for which you are being nominated.

Generally, you will be required to complete the same questionnaire (SF-86) for all designated national security positions; however, the type of national security eligibility for which you are nominated will determine the depth of the investigative coverage into your background. In addition, if adverse information surfaces, a deeper investigation into your background may be required.

Are there any helpful tips FOR FILLING OUT THE QUESTIONNAIRE?

If you have completed the security form before, it is helpful to have a copy of the last one you completed for reference. If it is the first time you are filling out the form, it will help if you verify and compile information regarding where you have lived, worked, and or attended school for the period of investigation, and/or have addresses and phone numbers of individuals 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 eligibility determination because this

information is required for processing your national security eligibility. Providing 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 information to include in your security questionnaire, see or call your security professional, and then answer the questions to the best of your ability. If you are in doubt as to

whether you should provide certain information, it is always best practice to provide the information (and any clarification, if necessary).

Your omission of adverse information may be interpreted as falsification of your security form by an adjudicator, which may result in an unfavorable eligibility determination. Remember, when you sign your security form, you are certifying completeness and accuracy under penalty of prosecution for falsification.

Learn more about how to complete the SF-86 at the Center for Development of Security Excellence Personnel Security Toolkit webpage:

<https://www.cdse.edu/Training/Toolkits/Personnel-Security-Toolkit/>

What BACKGROUND AREAS ARE CHECKED?

In accordance with Executive Order 13467, the revised Federal Investigative Standards (FIS), a new five-tiered investigative model, was developed.

The FIS establish standard requirements for conducting background investigations for determining eligibility for access to classified information or to hold a national security sensitive position, suitability/fitness for Federal Government employment, and eligibility for logical and physical access to Federal Government controlled facilities and information systems (HSPD-12 credentialing).

The FIS were implemented in phases with final implementation for all tiers in October 2017. The FIS tier 3 and 5 investigations are used for making national security determinations

and cover the following types of information:

- Employment history
- Education
- Reference checks
- Military service record
- Foreign connections, activities, and travel
- Financial history
- Police records (if any)
- Drug and alcohol abuse (if any)
- Psychological conditions (if any)

National Security Adjudicative Guidelines

How is the

NATIONAL SECURITY ELIGIBILITY DETERMINATION MADE?

When a DOD military, civilian, or contractor's investigation is complete, it is sent to the Defense Counterintelligence and Security Agency (DCSA) Consolidated Adjudication Services (CAS).

An adjudicator at the DCSA CAS will review all of the information, both "good" and "bad" (remember, the "whole person") and assess the information against the National Security Adjudicative Guidelines. Adjudicators receive training and are professionally certified to make decisions based on the guidelines.

- If there is no information that raises a security concern, the individual will usually be granted a favorable eligibility determination at the level requested by their agency.
- If there is information that raises a security concern, the adjudicator will evaluate the adverse information and mitigating factors per the National Security Adjudicative Guidelines when making the eligibility determination.
- If significant adverse material is identified, the case may be delayed until additional information is gathered and facts are verified. Ultimately, an unfavorable national eligibility determination may be made if the adverse information cannot be mitigated.



What are ADJUDICATIVE GUIDELINES?

The **13 National Security Adjudicative Guidelines** for determining eligibility for access to classified information and eligibility to perform national security sensitive duties are:

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



Due Process

National Security eligibility can be denied only on the basis of substantive information that raises doubts regarding trustworthiness. It is never denied on the basis of gender, race, religion or sexual orientation.

DCSA has gone to great lengths to ensure that the security clearance eligibility process is fair and balanced.

A national security eligibility is not denied without an individual being given the opportunity to explain or rebut the adverse information.

This is called due process, and it includes essential appeal rights, which individuals can exercise to challenge national security eligibility denials or revocations to an independent 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 ELIGIBILITY PROCESS TAKE?

Generally, the eligibility process can take anywhere from two to nine months, depending on the type of investigation and whether serious issues were identified or developed.

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

The higher the eligibility level, the deeper the investigation into your background, and the more time it is likely to take to complete the investigation and adjudication. If complicated issues arise during an investigation, it may 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 or live outside of the United States
- Background information that is difficult to obtain or involves issues that require an expansion of your case



Continuous Evaluation

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

By definition, the CEP involves the uninterrupted assessment of a person for retention of a security clearance eligibility or continued assignment to a national sensitive position. This ensures that high standards of conduct are maintained and the government and public's confidence that the individual will continue to protect people, property, information, and mission.

An automated records check monitoring system is in place so that questionable conduct or activities are promptly reported for adjudicative assessment. This could trigger additional investigative requirements. It also helps mitigate personnel security situations before they become larger problems, either by working with the cleared individual to mitigate potential issues, or in some cases, suspending or revoking clearances.

Information will be collected from the individual periodically for record accuracy via the SF-86.

Obligation

Now that I have my eligibility,

WHAT ARE MY OBLIGATIONS?

- When you hold national security eligibility, or hold a national security sensitive position, you are expected to comply with the high standards of conduct required of persons having access to classified information or performing national security sensitive duties.
- You are expected to keep your security office informed of certain changes in your personal life or activities in which you engage that have potential security ramifications. See “Security Executive Agent Directive 3 (SEAD-3) Reporting Responsibilities.”
- You are also expected to report any factual information that comes to your attention and that raises potential security concerns about co-workers. See SEAD-3.

Standards of conduct are set by Executive Order 12968 on Access to Classified Information. The order states 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 national security eligibility to be reviewed and possibly revoked.

The concept of continuous 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 granted eligibility to access classified information or occupy a sensitive position sometimes fall into a pattern of unreliable or untrustworthy behavior after being granted an initial eligibility.

Self-Reporting

SELF-REPORTING OF PERSONAL ACTIVITIES

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

Employees who have access to classified information or occupy a national security sensitive position are expected to report changes or incidents that may impact their national security eligibility.

The National Security Adjudicative Guidelines can be a valuable tool in determining if a life-event or situation might result in a need to report. Although self-reporting is mandatory, it also 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:** Unofficial foreign travel plans should be reported prior to leaving; a security briefing may also be required. Review your

organization's foreign travel policies for specific guidance during the planning phase of your trip.

- **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.
- **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.
- **SUBSTANCE MISUSE COUNSELING:** Self-reporting is appropriate for alcohol and drug related treatment.
- **OUTSIDE ACTIVITIES:** Any outside employment or volunteer activity that could create a real or apparent conflict with your designated job duties.
- **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 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.

For further information on reporting requirements, please see the SEAD-3, Reporting Requirements for personnel with access to classified information or who hold a sensitive position, at:

<https://www.dni.gov/files/NCSC/documents/Regulations/SEAD-3-Reporting-U.pdf>

Industry personnel should refer to Industrial Security letter (ISL) 2021-02 here:
https://www.dcsa.mil/Portals/128/Documents/CTP/tools/ISL2021-02_SEAD-3.pdf

SECURITY ISSUES

The next section lists 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 National Security 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 a 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. It is a whole person judgment that takes many factors into account, including strengths as well as 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.



BEHAVIORS THAT ARE POTENTIAL SECURITY CONCERNS

The following are examples of behaviors that may indicate an individual has vulnerabilities of a security concern or that an individual is in need 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

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 or violence



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

DRUG INVOLVEMENT AND SUBSTANCE MISUSE

- Use, possession, or acquisition of illegal/illicit substances, including marijuana, whether it is legal in your locality or not
- Misuse (use other than as prescribed), inappropriate possession, or inappropriate acquisition of prescription medication

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

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 unusual, unsafe, or impulsive 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, harassing phone calls, or online bullying)
- 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



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

FOREIGN PREFERENCE

- Failure to report the possession of a foreign passport or identity card when required
- Applying for and/or acquiring foreign citizenship
- Failure to use a U.S. passport when entering or exiting the United States
- Holding employment, position, or political office in a foreign government or military organization
- A deeply held commitment to helping a foreign country or group. An individual who 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



USE OF INFORMATION TECHNOLOGY

- Unauthorized entry into any information technology system
- Unauthorized modification, destruction, manipulation, or denial of access to information residing on a computer system
- Unauthorized introduction of media into any government information technology 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 systems administrator, other than as part of a legitimate system testing or security research
- Information technology includes any computer-based mobile or wireless device

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 or sensitive information

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 protected information in any unauthorized location
- Revealing of classified and other sensitive government and proprietary information to unauthorized persons, including news media
- Inappropriate, unusual, or excessive interest in classified and other sensitive government and proprietary information outside of 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
- Sexual behavior of a public nature that reflects lack of discretion or judgment
- Criminal sexual behavior

A CONTINUING RESPONSIBILITY

Are you willing and able to safeguard classified national information or perform national security sensitive duties?

Your loyalty, character, trustworthiness, and reliability will determine your qualification to hold a security clearance eligibility or sensitive position. Your continued diligence in monitoring your behavior and dealing with life's events responsibly will help you maintain your national security eligibility or occupancy of a national security sensitive position. Should you have any questions, contact your local security office.

