

Interim Clearances for Industrial Personnel Clearance Applicants

All applicants for a personnel security clearance submitted by a cleared contractor will be routinely considered for an interim eligibility. An interim eligibility is usually granted within five days after the clearance application is submitted. An interim eligibility will permit the individual to have access to most of the classified information needed to perform his or her duties. The interim eligibility is made concurrently with the initiation of the investigation and will generally remain in effect until an investigation is completed, at which time the applicant is considered for a final eligibility.

The Personnel Security Management Office for Industry (PSMO-I) reviews the Questionnaire for National Security Position (SF 86) and other files and systems. The interim eligibility will be issued only where facts and circumstances indicate access to classified information is clearly consistent with the national security interest of the United States.

Part I. The decision to issue an interim eligibility is made by a PSMO-I adjudicator who considers 13 adjudicative guidelines. These same guidelines are also used by an adjudicator in considering whether to grant a final PCL. These guidelines are set forth in part II.

It is important to note that PSMO-I may be required to await the completion of an investigation in order to appropriately apply the 13 guidelines. We have, through experience, learned that the most common reasons for such a delay in an eligibility determination at the Investigation Request stage are:

1. Financial Considerations. For example, a history of not meeting financial obligations or an inability or unwillingness to satisfy debts.
2. Emotional, Mental and Personality Disorders. For example, information that suggests that an individual has a condition or treatment that may indicate a defect in judgment, reliability or stability.
3. Foreign Preference. For example, possession of a valid foreign passport.
4. Criminal Conduct. For example, felony arrests, multiple misdemeanor arrests or imprisonment for over one year.
5. Drug involvement. For example, recent drug use, illegal drug possession or drug dependence.

There can be mitigating factors such as a particular behavior was not recent, or it was an isolated incident. Or, in the case of emotional, mental and personality disorders, mental health treatment for a temporary condition such as that caused by a death, illness or marital breakup. In this regard, it is important that an applicant for a

personnel security clearance answer all questions fully as requested on the security application form. A remarks section exists on the form where information may be added if there is no room in the applicable section of the form to provide additional details. Ultimately, the adjudicator has to rely on the information provided to grant an Interim Secret, Interim Top Secret or await the completion of the requested investigation.

Part II. Adjudicative Guidelines for Determining Eligibility for Access to Classified Information.

An applicant for an initial personnel security clearance (PCL) may be granted an eligibility for access to classified information once an appropriate investigation has been completed and 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. In making a determination that access is clearly consistent with the national security interest, an adjudicator will carefully consider the following 13 guidelines. Included with each guideline is an example of concerns that might prevent an adjudicator from issuing an interim eligibility. Again, these are examples and may not result in the decline of an interim eligibility if there are factors that mitigate the concerns. When considering the guidelines the adjudicator will take into account the nature, extent, and seriousness of the conduct; the circumstances surrounding the conduct, to include knowledgeable participation; the frequency and recency of the conduct; the individual's age and maturity at the time of the conduct; the voluntariness of participation; the presence or absence of rehabilitation and other pertinent behavioral changes; the motivation for the conduct; the potential for pressure, coercion, exploitation, or duress; and the likelihood of continuation or recurrence. The final clearance eligibility considers the same information as that which is considered during the interim eligibility decision, but also includes the results of the investigation conducted on the applicant. If the final eligibility cannot be granted, the applicant will be provided with the reasons for a potential denial of eligibility and given an opportunity to respond to the reasons. In addition, the applicant has the option of requesting a hearing.

1. **Allegiance to the United States.** An individual must be of unquestioned allegiance to the United States. The willingness to safeguard classified information is in doubt if there is any reason to suspect an individual's allegiance to the United States.
Example: membership in an organization that supports the overthrowing of the U.S. government.

2. **Foreign influence.** A security risk may exist when an individual's immediate family, including cohabitants, and other persons to whom he or she may be bound by affection, influence, or obligation are not citizens of the United States or may be subject to duress. These situations could create the potential for foreign influence that could result in the compromise of classified information. Contacts with citizens of other countries or financial interests in other countries are also relevant to security determinations if they make an individual potentially vulnerable to coercion, exploitation, or pressure.
Example: foreign financial interest or employment that may affect the individual's security responsibility.
3. **Foreign preference.** When an individual acts in such a way as to indicate a preference for a foreign country over the United States, then he or she may be prone to provide information or make decisions that are harmful to the interests of the United States.
Example: possession of a valid foreign passport.
4. **Sexual behavior.** Sexual behavior is a security concern if it involves a criminal offense, indicates a personality or emotional disorder, may subject the individual to coercion, exploitation, or duress, or reflects lack of judgment or discretion. Sexual orientation or preference may not be used as a basis for or a disqualifying factor in determining a person's eligibility for a security clearance.
Example: arrests for a sexual related crime.
5. **Personal conduct.** Conduct involving questionable judgment, untrustworthiness, unreliability, lack of candor, dishonesty or unwillingness to comply with rules and regulations could indicate that the person may not properly safeguard classified information.
Example: subject left previous employment due to fraud.
6. **Financial considerations.** An individual who is financially overextended is at risk of having to engage in illegal acts to generate funds. Unexplained affluence is often linked to proceeds from financially profitable criminal acts.
Example: a history of not meeting financial obligations or an inability or unwillingness to satisfy debts.
7. **Alcohol consumption.** Excessive alcohol consumption often leads to the exercise of questionable judgment, unreliability, failure to control impulses, and increases the risk of unauthorized disclosure of classified information due to carelessness.
Example: treatment for alcohol abuse.
8. **Drug involvement.** Improper or illegal involvement with drugs raises questions regarding an individual's willingness or ability to protect classified information. Drug abuse or dependence may impair social or occupational functioning,

increasing the risk of an unauthorized disclosure of classified information.

Example: recent drug use, illegal drug possession or drug dependence.

9. **Psychological conditions.** Emotional, mental and personality disorders can cause a significant deficit in an individual's psychological, social and occupational functioning. These disorders are of security concern because they may indicate a defect in judgment, reliability or stability.

Example: information that suggests that an individual has a condition or treatment that may indicate a defect in judgment, reliability or stability.

10. **Criminal conduct.** A history or pattern of criminal activity creates doubt about a person's judgment, reliability and trustworthiness.

Example: felony arrests, multiple misdemeanor arrests or imprisonment for over one year.

11. **Handling protected information.** Noncompliance with security regulations raises doubt about an individual's trustworthiness, willingness and ability to safeguard classified information.

Example: multiple security violations.

12. **Outside activities.** Involvement in certain types of outside employment or activities is of security concern if it poses a conflict with an individual's security responsibilities and could create an increased risk of unauthorized disclosure of classified information.

Example: service or employment country or foreign national.

13. **Use of Information Technology Systems.** Noncompliance with rules, procedures, guidelines or regulations pertaining to information technology systems may raise security concerns about an individual's trustworthiness, willingness, and ability to properly protect classified systems, networks, and information. Information Technology Systems include all related equipment used for the communication, transmission, processing, manipulation, and storage of classified or sensitive information.

Example: viewing unauthorized websites.