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Security Clearance in the DOD Marketplace

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Overview

- Governing Authorities
- Key Definitions
- FCL Process
- FCL Considerations and Timelines
- PCL Considerations and Timelines
- Success Roadmap
- Resources

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True or False:

If a contract requires a Personnel Security Clearance (PCL) to perform work onsite then a Facility Clearance (FCL) is not required.

FALSE

Any CONTRACT that requires a PCL also requires a FCL.

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National Industrial Security Program (NISP)

The Basics

- Administered by Defense Security Service (DSS)
<http://www.dss.mil/isp/>
- Authorities
 - DoDD 5220.2-R, Industrial Security Regulation, December 4, 1985
 - DOD 5220.22-M, National Industrial Security Program Operating Manual (NISPOM), February 2006
- Security guidance for acquisitions also found in FAR and DFARS

National Industrial Security Program (NISP)

Key Definitions

- Classified contract: Any contract requiring access to classified information in the performance of the contract
- Personnel Security Clearance (PCL): Administrative determination that an individual is eligible for access to classified information
- Facility Security Clearance (FCL): An administrative determination that a company is eligible for access to classified information
- Need to Know: Determination that the proposed recipient has a requirement for access to classified information to fulfill a contract
- Access: The ability and opportunity to gain knowledge of classified information

FCL Policies and Procedures

- Contractors must be sponsored by the Government Contracting Authority (GCA) or a currently cleared contractor AND meet the following criteria:
 - Must need access in connection with a legitimate requirement
 - Must be organized in the US
 - Must have a reputation for integrity and lawful business dealings
 - Must not be under Foreign Ownership or Controlling Interest (FOCI)

FCL Process

Submit Sponsorship Package

- DD254
- Sponsorship Letter

Submission of Business Documents via eFCL

- Within 5-10 Days, Telephonic Survey Conducted

Industrial Security Rep Completes Compliance Review

Day 1

Day 20

Day 45

Sponsorship Package Accepted

- Clock Starts!

Submit Key Management Personnel Clearances

- Complete e-QIP and fingerprints
- Verification of current clearance, if applicable

Facility Clearance Issued

FCL Considerations and Timelines

What is the typical FCL Processing Timeline?

- Average FCL Processing Timeline is 150-180 Days
 - Hold Points are FOCl and KMP Clearances

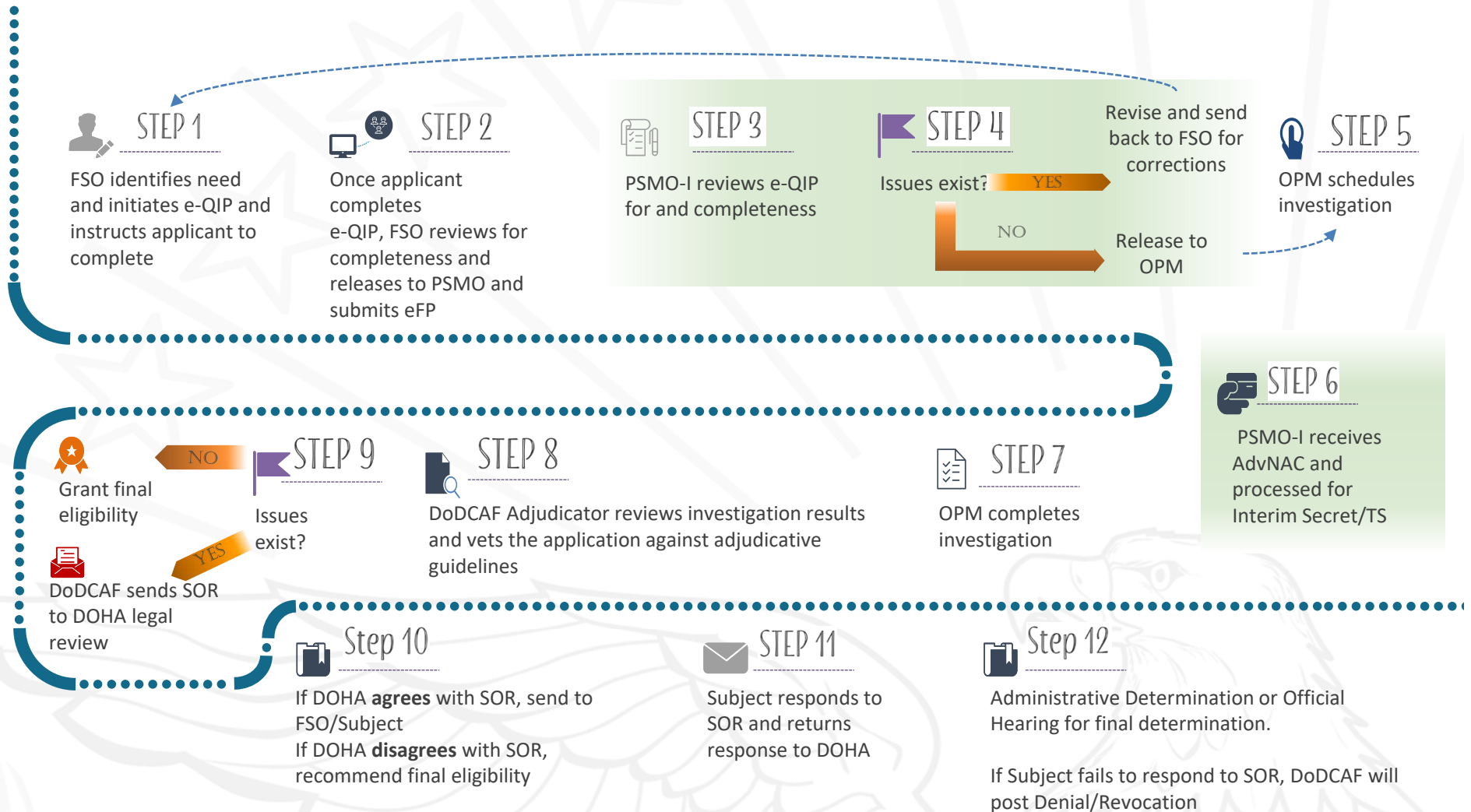
How Many FCL Packages does DSS Process per month?

- Appx. 300 month to process

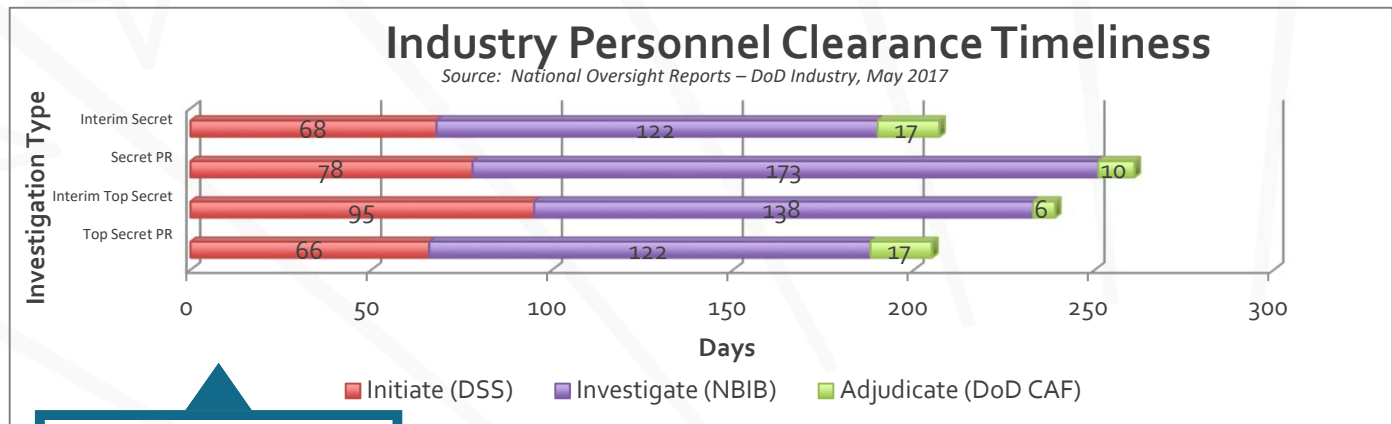
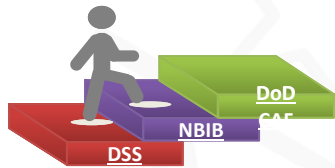
Why does it take so long?

- Appx. 50% of packages are rejected due to:
 - Information does not match on all documents
 - Not fully completed
- If KMP do not have active clearances then DSS has to forward to National Background Investigation Bureau (NBIB) to process personnel clearance. **Government funding must be in place.**
- If there is significant FOCl then mitigations have to be put in place.

High Level PCL Process Overview



Industry Personnel Clearance Processing



Interim Determination Goal

28 – 34 days

NLT 30 Sept 2017

Assumptions

- The receipt of the requested \$30m in reprogramming
- No significant performance impacts to CATS and JPAS Industry compliance with PR deferment
- Static mission sets at PSMO-I
- Current levels of adverse reporting are maintained
- No significant increases in KC volume
- Use of 1,000 hours of OT
- Use of NAVSEA personnel for 4 months
- 2 week shutdown of KC

FCL Considerations and Timelines

What is DSS doing to actively enhance the process and speed up the timeline?

- Interim FCLs are being issued when it is in the best interest of national security for contractors to begin work on their contracts.
- The average timeline for an interim FCL is 45 days.

Why is the process faster for interim clearances?

- DSS can internally grant interim personnel clearances through the PSMO-I division while NBIB is performing the full clearance investigation.
- Interim clearances are based on the risk associated with the background so it cannot be done in all cases.

Why Are Agencies Requiring Active Security Clearances at Time of Award and/or Bid?

- Services are needed immediately which does not allow time for vetting.
- Risk of awardee not being successfully cleared is too high.
- Checking every contractor bidding on work would be a significant cost for minimal benefit.

What is the Acquisition Community doing to Improve this for the Future?

- Planning as best as possible to allow for flexibility of getting clearances post award when possible.
- Educating customers on impacts to the contract when security clearances are required.
 - Impacts include effect on small business participation, limitation of competition and cost impact.

Success Roadmap

- ✓ Include “security” in your Market Research
- ✓ Increase your presence
- ✓ Find a Mentor
- ✓ Subcontract
- ✓ Leverage your small business status
- ✓ Be prepared for the security process



Available Resources

- ✓ Visit www.dss.mil
 - ✓ Facility Clearance Checklist
 - ✓ Facility Clearance Process FAQs
 - ✓ NISPOM

- ✓ Contact the DSS Knowledge Center 888-282-7682 (option 3) with any FCL related questions

- ✓ Visit DSS Center for Development of Security Excellence (CDSE) at www.CDSE.edu for FREE training and resources
 - ✓ Facility Security Officer toolkit
 - ✓ Training videos

