

ORDER

1600.73

**CONTRACTOR AND INDUSTRIAL SECURITY PROGRAM
OPERATING PROCEDURES**

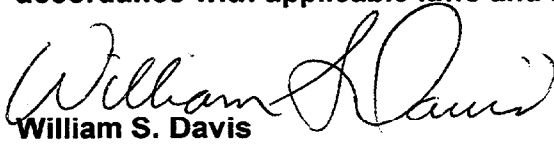


November 30, 2000

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

FOREWORD

This directive furnishes standard procedures for implementing the policies governing the Federal Aviation Administration's Contractor and Industrial Security Program in accordance with applicable laws and regulations.

A handwritten signature in cursive script, appearing to read "William S. Davis".

**William S. Davis
Acting Associate Administrator for
Civil Aviation Security**

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CHAPTER 1. INTRODUCTION

1. **PURPOSE:** This order furnishes Servicing Security Elements (SSE's) and other individuals assigned similar and related duties with standard procedures for implementing the directives and policies governing the Federal Aviation Administration's (FAA) contractor and industrial security program. These procedures are to be used as a supplement to the FAA directives and policies governing this program established under FAA Order 1600.1D, Personnel Security Program.

2. **DISTRIBUTION:** This order is distributed to all office and service directors in headquarters, the regions, and the aeronautical and technical centers, and the security and logistics divisions in the regions, with limited distribution to all civil aviation security field offices and units.

3. **AUTHORITY TO CHANGE THIS ORDER.** The Administrator reserves the authority to approve changes which establish or revise policy, delegate authority, or assign responsibility. The Associate Administrator for Civil Aviation Security may issue changes to this order as necessary to implement and manage the contractor and industrial security program.

4. **OBJECTIVE.** The objective of this order is to provide SSE's, contracting offices (CO), logistics management divisions (LMD), real estate contracting offices (RECO), and any other affected offices with basic security-related procedures for implementing specific aspects of the FAA's contractor and industrial security program and is not intended to be all-inclusive. There may be some variation in these procedures based on circumstances and locally-established processes that may better serve the intent of this order and needs of the user.

5. **EXCEPTIONS TO REQUIREMENTS AND STANDARDS.** Exceptions to the requirements and standards stated in this order, to include region and center supplements to it, will have the specific prior approval of the Associate Administrator for Civil Aviation Security.

6. **BACKGROUND.** The FAA employs communications, information, personnel, industrial, and physical security programs in order to protect the activities necessary to carry out its mission effectively. Each of the security disciplines has an integral role in assisting the FAA in its responsibility for the "...safety and certification of aircraft and pilots, ...security of our airports, and ...around-the-clock operation of our nation's air traffic control system. The FAA is committed to making the world's best [aviation industry] even better...by enhancing safety, *improving security*, and increasing the efficiency of air travel by modernizing the air traffic control system and expanding the capacity of our nation's airports."

a. This chapter provides the information necessary for a basic understanding of the FAA's mission and re-states, in more detail, the responsibilities of SSE's, contracting

officers and designees, logistics management specialists, and real estate contracting officers relating to accomplishment of that mission.

b. This chapter also re-states the laws, executive orders, and regulations mandating the various aspects of the contractor and industrial security program.

c. The remaining chapters contain procedures, exhibits, and examples designed to assist SSE's in fulfilling their responsibilities under the contractor and industrial security program.

7. GOVERNING DOCUMENTS.

- a. 5 U.S.C. 301.
- b. 44 U.S.C. 3102.
- c. 5 U.S.C. 552a(e)(9) and (10).
- d. 5 CFR 736, Personnel Investigations.
- e. Public Law 100-235, Computer Security Act of 1987.
- f. Executive Order (E.O.) 12829, National Industrial Security Program.
- g. E.O. 12968, Access to Classified Information.
- h. OMB Circular A-130, Management of Federal Information Resources.
- i. Department of Defense (DOD) Directive 5200.2, DOD Personnel Security Program, dated April 9, 1999.
- j. DOD Directive 5220.22-M, NISP Operating Manual (NISPOM), January 1995.
- k. National Institute of Standards Special Publication 800-4, Computer Security Considerations in Federal Procurements.

8. RESPONSIBILITIES:

- a. Servicing Security Elements (SSE).

(1) Monitor and implement security procedures to protect against unauthorized disclosure of classified national security information, in accordance with the provisions of existing executive orders, Department of Transportation (DOT) regulations, and internal orders and procedures.

(2) Designate in writing a personnel security officer who will implement the FAA's Contractor and Industrial Security Program within his or her area of responsibility.

(3) Provide guidance to operating offices, CO's, COTR's, logistics management specialists (LMS), and RECO's on contractor and industrial security policies and operating procedures.

(4) Determine, in consultation with operating offices, CO's, LMD's, or RECO's which contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and memoranda of understanding (MOA) require investigation of contractors and/or contractor employees and ensure they contain appropriate language for investigation of the proposed contractor employees.

(5) Assist operating offices, CO's, LMD's, and RECO's in developing appropriate personnel security clauses for contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's which contain work, services, or other duties to be performed or provided by contractor employees.

(6) Assist operating offices, CO's, LMD's, and RECO's in developing appropriate security clauses for classified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's to ensure that FAA and the Defense Security Service (DSS) can process all contractor employees for any needed facility or security clearances, and to do so according to requirements and procedures stated in the NISPOM and/or other applicable DOD regulations.

(7) Assist operating offices, CO's, LMD's, and RECO's in determining whether use of foreign nationals and immigrant aliens on FAA contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's is in the best interest of the FAA and whether access to classified information is required in order for the foreign national(s) and/or immigrant alien(s) to perform or provide services under the contract.

(8) Ensure security clauses for classified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's also contain language specifying that requests for classified visits be made/prepared in accordance with the NISPOM and certified by the CO prior to forwarding to the organization to be visited.

(9) Review DD Form 254, Contract Security Classification Specification, for all classified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's to ensure appropriate classification.

(10) Review FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record, to ensure risk/sensitivity level designations are correct and appropriate, and approve or disapprove as required.

(a) Ensure that, when an FAA Form 1600-77 indicates a contractor employee is exempt from the investigative requirements, the exemption is sufficiently justified in block IV, Final Adjustment Factor(s).

(b) Ensure that, when an FAA Form 1600-77 is submitted for a position that will be filled by a foreign national and/or immigrant alien, block IV contains a description of the compelling need and sufficient justification.

(11) Receive and review investigative forms for completeness, identify and resolve any issues and/or areas of concern, authorize contractor employees to begin work as appropriate, and initiate required investigations as appropriate. While contractor employees have a maximum of 30 days in which to submit their completed investigative forms, they may begin work as soon as they are authorized to do so in accordance with this paragraph and paragraph 505.

(12) Check national investigations indices for prior investigations concerning contractor employees when appropriate.

(13) Review requests for interim suitability determinations to allow contractor employees to begin work prior to completion and adjudication of any required background investigation and approve as appropriate in accordance with paragraph 505. (Refer to Appendix 2, Forms, for sample request and approval memoranda.)

(14) Advise the CO/COTR, LMS, or RECO in writing when an interim determination is made that a contractor employee may begin work prior to investigation and upon making the final suitability determination as appropriate and include AIS access authorizations as necessary.

(15) Initiate appropriate security screenings on contractor employees as required within 14 days of receipt of the investigative forms and/or approval of interim suitability determinations and enter the results into the investigations tracking system (ITS).

(16) Review investigative reports to determine the adequacy of the investigation, evaluate the investigative results, identify suitability issues, and adjudicate suitability in accordance with the personnel suitability standards and criteria set forth in Chapter 5, Suitability Determinations, of this order and in consultation with other offices on a need-to-know basis.

(17) Conduct or arrange for additional investigation when necessary to resolve suitability issues.

(18) Provide due process to contractor employees prior to taking any unfavorable action based on the results of an investigation. Due process will consist of notifying the person of the specific reasons for the proposed action and affording the person an opportunity to respond.

(19) Notify the CO/COTR, LMS, or RECO in writing of any contractor employee found unsuitable for access to FAA facilities, sensitive information, and/or resources and request action to deny such access.

(20) Consult with the CO/COTR, LMS, or RECO and direct appropriate action to be taken whenever any information is received which raises a question about a contractor employee's suitability.

(21) Maintain records of contractor-certified visit requests for visits by foreign nationals and immigrant aliens to FAA facilities.

(22) Maintain records on contractor employee background investigations in an automated information system that the Office of Civil Aviation Security Operations (ACO) has approved for this purpose and maintain personnel security files, as necessary, on contractor employees.

(23) Provide the contracting office with all DOT/FAA security directives that the contractor needs to fulfill security responsibilities under the contract.

(24) Periodically evaluate the contractor and industrial security program in its area of responsibility to ensure that it is operating effectively, and conduct semi-annual and unscheduled quality assurance reviews to ensure compliance with this order.

(25) Advise operating offices of all changes in costs of background investigations.

b. Contracting offices (CO). The contracting office will:

(1) Ensure all new, modified, or renewed contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's containing work, services, or other duties to be performed or provided by contractor employees have been coordinated with the SSE for review and determination of applicable personnel security investigative requirements prior to solicitation. Additionally, ensure the SSE is notified whenever the status of a contract, including, but not limited to, purchase order, consulting agreement, MOA, or contractor employee changes (i.e., replaced, defaulted, terminated, etc.) impacting personnel security requirements and/or access to FAA facilities, sensitive information, and/or resources.

(2) Ensure all proposed contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's requiring contractor employees or other persons not employed by the FAA to have access to classified information contain language that clearly identifies this requirement prior to solicitation in coordination with the SSE and operating office.

(3) Review all proposed contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's to determine whether the FAA will need to share

classified information with a contractor, consultant or other non-FAA persons during pre-contract negotiations.

(4) Coordinate with the appropriate DSS office to determine if any prospective bidders require processing for a security clearance in accordance with the NISPOM and/or other applicable DOD regulations. When this is required, sign and issue a DD Form 254 for each affected proposal, invitation for bid, request for quotation, or other solicitation.

(5) Coordinate with the SSE and operating office to develop appropriate security clauses for classified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's to ensure that FAA and DSS can process all contractor employees for any needed facility or security clearances, and to do so according to requirements and procedures stated in the NISPOM and/or other applicable DOD regulations.

(6) Ensure security clauses for classified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's also contain language specifying that requests for classified visits be made and prepared in accordance with the NISPOM, and certified by the contracting office prior to forwarding to the organization to be visited.

(7) Issue a completed DD Form 254 with the award of each classified contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA, and provide a copy of the completed DD Form 254 to the SSE.

(8) Ensure that whenever the SSE has determined that a contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA requires investigation of any contractor employee, the contract contains language sufficient to achieve this objective in an orderly and expeditious manner, and to require the contractor to take appropriate action including removal of an employee from working on an FAA contract if it is determined that that person is unsuitable.

(9) Ensure that position risk level designations determined by the operating office as outlined in Chapter 3, Position Risk/Sensitivity Level Designations, are forwarded to the SSE on FAA Form 1600-77 for review and approval prior to implementation and retain the original, approved FAA Form 1600-77.

(10) Ensure contractor employees (including prospective contractor employees) send all required completed investigative forms in a sealed envelope directly to the SSE, or CO if direct submission to the SSE cannot be done, no later than 30 days after the contract, including, but not limited to, purchase order, consulting agreement, or MOA award date as required by the applicable contract. While contractor employees have a maximum of 30 days in which to submit their completed investigative forms, they may begin work as soon as they are authorized to do so in accordance with paragraph 505.

(11) Ensure contractor employees proposed by a contractor subsequent to the award date provide the required investigative forms in a sealed envelope directly to the SSE, or CO if direct submission to the SSE cannot be done, within 30 days the date the contractor advises of the proposal. While contractor employees have a maximum of 30 days in which to submit their completed investigative forms, they may begin work as soon as they are authorized to do so in accordance with paragraph 505.

(12) Ensure all completed security packages submitted by proposed contractor employees, the name of the contracting company; contract number, duty location, identification of the funding line of business (LOB), a list of the names of all proposed contractor employees, the appropriation code, and the names of the contracting officer and COTR are provided to the SSE within 5 days of the contract, purchase order, consulting agreement, or MOA award date.

(13) Ensure no contractor employee works in any position until the SSE has received and reviewed all required investigative forms, resolved any issues, and authorized them to work, unless otherwise required by Chapter 4, Investigative Requirements and Initiation Procedures.

(14) Ensure the SSE is notified of any information that raises a question about the suitability of a contractor employee.

(15) Ensure appropriate action is taken immediately upon notification that a contractor employee is determined to be unsuitable for access to FAA facilities, sensitive information, classified information, and/or resources. Appropriate action may include removal of such employees from working on any aspect of the FAA contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA.

(16) Provide the contractor all applicable security regulations and ensure the contractor complies with the requirements set forth in the security regulations.

c. Contracting officer's technical representative (COTR) will:

(1) Notify the SSE whenever a contractor employee has completed work under a contract, including, but not limited to, purchase order, consulting agreement, or MOA, or leaves his or her position.

(2) Ensure that contractor employees (including prospective contractor employees) send all required completed investigative forms in a sealed envelope directly to the SSE, or CO if direct submission to the SSE cannot be done, no later than 30 days after the contract, including, but not limited to, purchase order, consulting agreement, or MOA award date as required by the applicable contract. While contractor employees have a maximum of 30 days in which to submit their completed investigative forms, they may begin work as soon as they are authorized to do so in accordance with paragraph 505.

(3) Ensure all contractor employees proposed by a contractor subsequent to award of a contract, including, but not limited to, purchase order, consulting agreement, or MOA, provide the required investigative forms in a sealed envelope directly to the SSE, or CO if direct submission to the SSE cannot be done, within 30 days of the date the contractor advises of the proposal. While contractor employees have a maximum of 30 days in which to submit their completed investigative forms, they may begin work as soon as they are authorized to do so in accordance with paragraph 505.

(4) Ensure the name of the contracting company, contract number, duty location(s), identification of the funding LOB, appropriation code, a list of the names of all proposed contractor employees, and the names of the contracting officer and COTR are provided to the SSE within 5 days of the contract, including, but not limited to, purchase order, consulting agreement, or MOA award date.

(5) Assist the operating office in determining position risk/sensitivity level designations as outlined in chapter 3 of this order, ensure the designations are recorded on FAA Form 1600-77 and submitted to the SSE for review and approval prior to implementation.

(6) Assist the operating office in determining whether interim suitability determinations are needed in accordance with the requirements specified in paragraph 505 and ensure requests are submitted in writing to the SSE no later than 5 days before desired start date. (Refer to appendix 2 for sample request memorandum.)

(7) Assist the operating office in determining whether use of foreign nationals and/or immigrant aliens under FAA contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's is in the best interest of the FAA and whether access to classified information is required in order for the foreign national(s) and/or immigrant alien(s) to perform or provide services under the specified contract.

(8) Ensure no contractor employee works in any position until the SSE has received and reviewed all required investigative forms, resolved any issues, and authorized them to work, unless otherwise required by chapter 4.

(9) Ensure the SSE is notified of any information that raises a question about the suitability of a contractor employee.

(10) Ensure appropriate action is taken immediately upon notification that a contractor employee is determined to be unsuitable for access to FAA facilities, sensitive information, classified information, and/or resources. Appropriate action may include excluding the contractor employee from working on any aspect of the FAA contract.

(11) Provide the contractor all applicable security regulations.

d. Operating office. The operating office will:

(1) Designate a personnel security coordinator to perform tasks identified in FAA Order 1600.1D, Appendix 2, Guidelines for Personnel Security Coordinators, and notify the SSE whenever a new coordinator is designated. This designee need not be separate and apart from the Personnel Security Coordinator required by FAA Order 1600.1D, Personnel Security Program, chapter 3, paragraph 302b(1).

(2) Coordinate with the SSE, CO, LMD, or RECO on all contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's which may involve contractors, contractor employees, or other persons not employed by the FAA having access to FAA facilities, sensitive information, or resources to determine whether any investigative requirements would apply to the contractor, contractor employees, or other persons having access. Included are situations where operating offices exercise authority to contract for or purchase services directly without significant involvement on the part of a separate contracting office.

(3) Coordinate with the SSE, and the CO, LMD, or RECO on the development of security clauses for classified contracts, including but not limited to purchase orders, consulting agreements, and MOA's, to insure the:

(a) FAA and DSS can process all contractor employees for any needed security clearances and to do so according to requirements and procedures stated in the NISPOM or other applicable DOD regulations.

(b) contracting documents contain language specifying that requests for visits be made and prepared in accordance with the NISPOM and are certified by the contracting office prior to forwarding to the SSE and organization to be visited.

(4) Ensure that whenever the SSE has determined that persons to be granted access to an FAA facility, sensitive information, and/or resources under an unclassified contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA would require investigation, the contract contains language sufficient to achieve this objective and to require the contractor to take appropriate action including removal of an employee from working on the FAA contract if it is determined that that person is unsuitable.

(5) Prepare and submit draft DD Form 254 in accordance with the appropriate DOD regulations or instructions to the SSE for review and signature.

(6) Ensure that position risk level designations are determined as outlined in chapter 3 of this order, recorded on FAA Form 1600-77, and forwarded to the contracting office for submission to, review, and approval by the SSE prior to implementation. When the assessment indicates that a contractor employee is exempt from the investigative requirements, ensure sufficient justification is provided in block IV, Final Adjustment Factor(s), or on a separate sheet of paper submitted with the FAA Form 1600-77.

(7) Determine, in consultation with the CO/COTR, LMS, or RECO, whether interim suitability determinations are necessary in accordance with the requirements specified in paragraph 505 and submit requests in writing to the SSE no later than 5 days before desired start date. (Refer to appendix 2 for sample request memorandum.)

(8) Determine, in consultation with the CO/COTR, LMS, or RECO, and the SSE, whether use of foreign nationals and/or immigrant aliens on FAA contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's is in the best interest of the FAA and whether access to classified information is required in order for the foreign national(s) and/or immigrant alien(s) to perform or provide services under the contract.

(9) Ensure that no contractor employee works in any position until the SSE has received and reviewed all required investigative forms, resolved any issues, and authorized him or her to work. Ensure receipt of written notification from the SSE that contractor employees are authorized to begin work. While contractor employees have a maximum of 30 days in which to submit their completed investigative forms, they may begin work as soon as they are authorized to do so in accordance with this paragraph and paragraph 505.

(10) Notify the SSE of any questionable conduct that might affect the suitability of a contractor employee.

(11) Ensure that whenever the SSE has determined that a contractor employee will not require an investigation that the contractor employee is escorted at all times by an FAA employee, or by contractor personnel who have been appropriately investigated, favorably adjudicated, and authorized to provide escort, while the contractor employee has access to FAA facilities, sensitive information, and/or resources.

(12) Provide a listing of all contractor employees working in each facility to the SSE quarterly and upon request.

(13) Ensure that all contractor employees receive necessary information concerning, but not limited to, access controls, identification media, protection of FAA sensitive and proprietary information, and systems security.

(14) Budget for the costs of conducting personnel investigations, or coordinate with the SSE to ensure budgeting for these costs.

(15) Maintain records of all contractor position risk/sensitivity levels working within facilities in its area of responsibility.

(16) Maintain records of all contractor employees granted security clearances by DSS working within facilities in its area of responsibility. Maintain records as prescribed by the latest edition of FAA Order 1280.1, Protecting Privacy of Information About Individuals.

e. Logistics management divisions (including those under airway facilities divisions) (LMD). The LMD will:

(1) Ensure that all new, modified, or renewed contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's for which they are responsible that contain work, services, or other duties to be performed or provided by contractor employees have been coordinated with the SSE for review and determination of applicable personnel security investigative requirements prior to solicitation. Additionally, the SSE is notified whenever the status of a contract, including, but not limited to, purchase order, consulting agreement, or MOA or a contractor employee changes impacting personnel security requirements and/or access to FAA facilities, sensitive information, and/or resources.

(2) Ensure all proposed contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's for which they are responsible that require contractor employees or other persons not employed by the FAA to have access to classified information contain language that clearly identifies this requirement prior to solicitation in coordination with the SSE.

(3) Review all proposed contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's for which they are responsible to determine whether the FAA will need to share classified information with a contractor, consultant or other non-FAA persons during pre-contract negotiations.

(4) Coordinate with the appropriate DSS office to determine if any prospective bidders require processing for a facility security clearance in accordance with the NISPOM and/or other applicable DOD regulations. When this is required, sign and issue a DD Form 254 for each affected proposal, invitation for bid, request for quotation, or other solicitation.

(5) Coordinate with the SSE to develop appropriate security clauses for classified contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's for which they are responsible to ensure that FAA and DSS can process all contractor employees for any needed facility or security clearances, and to do so according to requirements and procedures stated in the NISPOM and/or other applicable DOD regulations.

(6) Ensure security clauses for classified contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's also contain language specifying that requests for classified visits be made/prepared in accordance with the NISPOM, and certified by the contracting office prior to forwarding to the organization to be visited.

(7) Issue a completed DD Form 254 with the award of each classified contract, including, but not limited to, purchase order, consulting agreement, or MOA, and provide a copy of the completed DD Form 254 to the SSE.

(8) Ensure that, whenever the SSE has determined that a contract, including, but not limited to, purchase order, consulting agreement, or MOA requires investigation of any contractor employee, the contract contains language sufficient to achieve this objective in an orderly and expeditious manner, and to require the contractor to take appropriate action including removal of an employee from working on an FAA contract if it is determined that that person is unsuitable.

(9) Ensure that position risk level designations are determined in accordance with chapter 3 and forwarded to the SSE on FAA Form 1600-77 for review and approval prior to implementation, and the original, approved forms are retained.

(10) Assist the operating office in determining whether interim suitability determinations are necessary in accordance with the requirements specified in paragraph 505 and ensure requests are submitted in writing to the SSE no later than 5 days before desired start date. (Refer to appendix 2 for sample request memorandum.)

(11) Assist the operating office in determining whether use of foreign nationals and/or immigrant aliens on FAA contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's is in the best interest of the FAA and whether access to classified information is required in order for the foreign national(s) and/or immigrant alien(s) to perform or provide services under the specified contract.

(12) Ensure contractor employees (including prospective contractor employees) send all required completed investigative forms and information in a sealed envelope directly to the SSE, or LMS when direct submission to the SSE cannot be done, no later than 30 days after the contract, including, but not limited to, purchase order, consulting agreement, or MOA, award date as required by the applicable contract. While contractor employees have a maximum of 30 days in which to submit their completed investigative forms, they may begin work as soon as they are authorized to do so in accordance with paragraph 505.

(13) Ensure contractor employees proposed subsequent to an award date provide the required investigative forms in a sealed envelope directly to the SSE, or LMS when direct submission to the SSE cannot be done, within 30 days of the date the contractor advises of the proposal. While contractor employees have a maximum of 30 days in which to submit their completed investigative forms, they may begin work as soon as they are authorized to do so in accordance with paragraph 505.

(14) Ensure all completed security packages submitted by proposed contractor employees, the name of the contracting company, contract number, duty location, identification of the funding LOB, the appropriation code, a list of the names of all proposed contractor employees; and the name of the responsible LMS are provided to the SSE within 5 days of the contract award date.

(15) Ensure that no contractor employee works in any position until the SSE has received and reviewed all required investigative forms, resolved any issues, and authorized them to work, unless otherwise required by chapter 4.

(16) Ensure the SSE is notified of any information that raises a question about the suitability of a contractor employee.

(17) Ensure appropriate action is taken immediately upon notification that a contractor employee is determined to be unsuitable for access to FAA facilities, sensitive information, classified information, and/or resources. Appropriate action may include excluding the contractor employee from working on any aspect of the FAA contract.

(18) Provide the contractor all applicable security regulations and insure the contractor complies with the requirements set forth in the security regulations.

f. Real estate contracting offices (RECO): RECO's will:

(1) Ensure that all new, modified, or renewal lease agreements containing janitorial, construction, maintenance, property management and/or repair work have been coordinated with the SSE for review and determination of applicable personnel security investigative requirements prior to issuance. Additionally, the SSE is notified whenever the status of a lease agreement or contractor employee changes impacting personnel security requirements and/or access to FAA-leased facilities, FAA sensitive information, and/or FAA resources.

(2) Ensure all proposed lease agreements requiring contractor employees or other persons not employed by the FAA to have access to classified information contain language that clearly identifies this requirement prior to solicitation in coordination with the SSE.

(3) Ensure that whenever the SSE has determined that a lease agreement requires investigation of any contractor employee, the agreement contains language sufficient to achieve this objective in an orderly and expeditious manner, and to require the contractor to take appropriate action including removal of an employee from working pursuant to the FAA lease agreement if it is determined that that person is unsuitable.

(4) Ensure that position risk level designations are determined as outlined in chapter 3, are forwarded to the SSE on FAA Form 1600-77 for review and approval prior to implementation, and the original, approved forms are retained.

(5) Assist the operating office in determining whether interim suitability determinations are needed as outlined in paragraph 505 and, if needed, submit requests in writing to the SSE no later than 5 days *before* desired start date. (Refer to appendix 2 for sample request memorandum.)

(6) Ensure all contractor employees (including prospective contractor employees) send required completed investigative forms in a sealed envelope directly to the SSE, or RECO if direct submission to the SSE cannot be done, no later than 10 days after the lease agreement award date as required by the applicable contract. Contractor employees have a maximum of 30 days in which to submit their completed investigative forms, but may begin work as soon as their forms are reviewed and they are authorized to do so in accordance with paragraph 505.

(7) Ensure all contractor employees proposed subsequent to the lease agreement award date provide the required investigative forms in a sealed envelope directly to the SSE, or RECO if direct submission to the SSE cannot be done, no later than 10 days after the contractor advises the RECO of the proposal. Contractor employees have a maximum of 30 days in which to submit their completed investigative forms, but may begin work as soon as their forms are reviewed and they are authorized to do so in accordance with paragraph 505.

(8) Ensure the name of the contracting company, contract number, the appropriation code, duty location, identification of the funding LOB, a list of the names of all proposed contractor employees, and the name of the responsible RECO, are provided to the SSE within 5 days of the lease commencement date.

(9) Ensure no contractor employee works in any position until the SSE has received and reviewed all investigative forms necessary to conduct any required investigation, resolved any issues, and authorized them to work, unless otherwise required by chapter 4 of this order.

(10) Ensure any information that may raise a question about the suitability of a contractor employee obtained or learned any time during the life of the lease agreement is provided to the SSE as soon as practicable.

(11) Ensure appropriate action is taken as soon as the SSE provides notification that a contractor employee is unsuitable for access to FAA facilities, sensitive information, and/or resources. Appropriate action may include removal of such employees from working pursuant to any FAA lease agreement.

(12) Provide the contractor all applicable security regulations and insure the contractor complies with the requirements set forth in the security regulations.

9-199. RESERVED

CHAPTER 2. PROCUREMENT REVIEWS

200. CONTACT WITH PROCUREMENT AUTHORITIES. SSE's should establish a working relationship with the procurement authorities within their region, center, or area of responsibility, i.e., the contracting officer (CO), contracting officer's technical representative(s) (COTR), real estate contracting officer (RECO), and/or logistics management specialist(s) (LMS), to protect the security interests of the FAA and ensure appropriate exchange of information.

a. The security interests of the FAA are protected through the inclusion of necessary security clauses in all contractual documents where applicable.

b. Security interests are any aspect of contractor service that involves the security posture of the FAA. Examples include, but are not limited to, access to:

(1) Classified national security information.

(2) Sensitive FAA information.

(3) FAA telecommunications and automated information systems.

(4) Use of FAA owned or leased facilities, buildings, vehicles, or other property.

201. REVIEW OF PROCUREMENT ACTIONS.

a. General review actions. (Refer to FAA Order 1600.1D, Personnel Security Program, Change 3, Appendix 9, Investigating Contractor Employees, paragraph 6, Responsibilities, and chapter 1 of this order for a more comprehensive listing of SSE responsibilities.)

(1) Determine, in consultation with operating offices, CO's, LMS's, and RECO's which contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and memorandums of understanding (MOA's) involve work, services, or other duties to be performed or provided by contractor employees.

(2) Determine, in consultation with operating offices, CO's, LMS's, and RECO's which contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and memorandums of understanding (MOA's) may be classified and/or involve access to classified information by non-FAA personnel.

(3) Ensure reviews of all procurement actions with security implications are done during the development stages of the statement of work (SOW), request for proposal (RFP), blanket purchase agreement (BPA), or any other format used to procure

goods or services for the FAA that involve work, services, or other duties to be performed or provided by contractor employees.

b. Specific review actions. Upon receipt of a procurement action or notification that a procurement action requires review, review the document(s).

(1) Determine the necessary security requirements, using the four areas outlined in paragraph 200b as a guideline:

(a) Will the contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA require access to classified information?

(b) Will the contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA require access to sensitive information or systems?

(c) Will the contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA require unescorted facility access?

(d) If access is limited to FAA facilities with escort for a short period of time, the security clause must include a statement that the individual must be continuously escorted.

(2) After the initial determination of security requirements, ensure the appropriate security clause(s) is/are included in the procurement action (SOW, RFP, BPA, etc.). Refer to the security clauses in appendix 1.

c. Return review results to the contracting office, logistics management division, or real estate contracting office as applicable.

d. Maintain a file copy of all review actions.

e. Provide the CO/COTR, RECO, or LMS copies of all DOT/FAA security directives that the contractor needs to fulfill security requirements under the contract, including, but not limited to, purchase order, lease agreement, consulting agreement, or MOA.

202. CLASSIFIED CONTRACTS REQUIREMENTS. Due to the damage to the national security that can be caused by the unauthorized disclosure of classified information, the following requirements apply to classified contracts in addition to any standard security clauses that may apply.

a. All classified solicitations and Department of Defense (DD) Forms 254, Contract Security Classification Specification (refer to appendix 2) will be reviewed and approved by the SSE prior to award.

b. All classified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's must contain a DD Form 254. This form is designed to provide the *contractor* with the security requirements and classification guidance needed to perform under a classified contract. Detailed instructions for completing the form may be found at appendix 3.

c. Investigations of contractor personnel to be cleared under the National Industrial Security Program Operating Manual (NISPOM) are:

(1) Coordinated by the SSE.

(2) Conducted by the Defense Security Service (DSS), who will also conduct inspections of cleared contractor facilities.

(a) If there are special security requirements that warrant oversight by FAA, a "carve out" can be established which removes the program from the auspices of the DSS. For example, a "carve out" might be established for a special access program (SAP).

(b) At any given time, the FAA may retain the right to perform site inspections which should be addressed in the contract.

(c) The contractor submits the necessary investigative forms for the affected contractor employees directly to DSS.

203. POST AWARD ACTIONS. An effective relationship must be established between the SSE, the contracting office, COTR, and responsible operating office. In addition to constant communication, the following actions are essential to maintaining effective liaison.

a. All amendments, modifications, revisions, and renewals to/of existing contracts, including, but not limited to, purchase orders, lease agreements, consulting agreements, and MOA's with security implications must be routed through the SSE for review, whether or not the original document contained security implications. For example, if the original contractual document was not reviewed by the SSE because it did not involve work or services to be performed or provided by contractor employees and an amendment, modification, change, etc., to that original document *does* contain such work or services, then the amendment, modification, change, etc., must be reviewed by the SSE.

(1) In cases where changes *do not* affect the security posture of the contract, review is *not* required.

(2) In cases where changes *do* affect the security posture, the contracting office must submit the proposed changes to the SSE for review prior to inclusion in the contract.

b. The contracting officer, COTR, operating office, LMS, or RECO must ensure notification is provided to the SSE when a contractor employee is terminated or leaves his or her position within 5 days of the event.

c. The SSE must ensure the contracting officer, COTR, operating office, LMS, or RECO, is notified in writing, when

(1) *interim* suitability determinations are made that contractor employees may begin work under the contract, including, but not limited to, purchase order, lease agreement, consulting agreement, or MOA, in accordance with Order 1600.1D, change 3, appendix 9, paragraph 11. (Refer to appendix 2 of this order for sample notification memoranda.)

(2) *final* suitability determinations are made in accordance with Order 1600.1D, change 3, appendix 9, paragraph 11. (Refer to appendix 2 of this order for sample notification memoranda.)

(3) any contractor employee is found unsuitable for access to FAA facilities, sensitive information, and/or resources and to request action to deny such access, in accordance with Order 1600.1D, change 3, appendix 9, paragraph 11. (Refer to appendix 2 of this order for sample notification memoranda.)

d. Operating offices must ensure contractor employees who work in or provide services to facilities within their area of responsibility are provided necessary security-related information, i.e., facility access controls, identification media, protection of FAA sensitive and proprietary information, and AIS security.

e. SSE's must conduct semi-annual and unscheduled quality assurance reviews in accordance with chapter 7 of this order to ensure compliance with Order 1600.1D, appendix 13.

204-299. RESERVED

CHAPTER 3. POSITION RISK/SENSITIVITY LEVEL DESIGNATIONS

300. GENERAL. Every contractor position must be designated at a risk or sensitivity level commensurate with the described duties, functions, and/or tasks that are performed under a given contract and whether access to classified information is required in order to perform those duties, functions, and/or tasks. Operating offices and contracting offices (CO), contracting officer's technical representatives (COTR), logistics management divisions (LMD), and/or real estate contracting offices (RECO), as applicable, should work together in determining position risk/sensitivity levels and coordinate their designations with the SSE. This chapter outlines procedures for systematically and uniformly designating position risk and sensitivity levels for contractor employees. The following paragraphs contain specific program placements for offices and divisions at the regional level and minimum risk and sensitivity level requirements for certain FAA positions and explain how to:

- a. Determine general risk criteria for placement of FAA programs and positions.
- b. Apply suitability, automated information systems (AIS), and national security criteria for designating positions.
- c. Determine a final risk or sensitivity level.

301. DEFINITIONS. The following are the definitions of each position risk and sensitivity level. Although these definitions are available in Order 1600.1D, they are repeated here for convenience because they are used in conjunction with the paragraphs and charts in this chapter.

- a. There are three position risk levels:
 - (1) High Risk. These are public trust positions that have the potential for *exceptionally serious* impact involving duties especially critical to the agency or a program mission with broad scope of policy or program authority. This level includes positions that have *major* program responsibilities affecting AIS.
 - (2) Moderate Risk. These are public trust positions that have the potential for *moderate to serious* impact involving duties of considerable importance to the agency or program mission with significant program responsibilities and delivery of customer services to the public. This level includes positions that have *significant* program responsibilities that affect AIS.
 - (3) Low Risk. These are positions that have potential for impact involving duties of *limited* relation to the agency mission with program responsibilities that affect the efficiency of the service. This level includes positions that have limited impact on AIS.

b. There are three levels for designating the sensitivity of positions with regard to the national security:

(1) Special-sensitive. These are positions involving the highest degree of trust that require access, or afford ready opportunity to gain access, to any information which is controlled under a Special Access Program as Sensitive Compartmented Information (SCI).

(2) Critical-sensitive. These are positions with the potential for causing *serious to exceptionally grave damage* to the national security and that require access, or afford ready opportunity to gain access, up to Top Secret classified information and material as described in E.O. 12958, Classified National Security Information.

(3) Noncritical-sensitive. These are positions with the potential for causing *serious damage* to the national security and that require access, or afford ready opportunity to gain access, to Secret classified information and material as described in E.O. 12958.

302. SENSITIVITY LEVEL DESIGNATION.

a. Designate all positions requiring access to "Confidential" or "Secret" classified information at a minimum as noncritical-sensitive.

b. Designate all positions requiring access to "Top Secret" classified information at a minimum as critical-sensitive.

c. Designate all contractor positions requiring access to "Sensitive Compartmented Information (SCI)" at a minimum as special-sensitive, regardless of other risk factors involved.

d. Designate all clerical contractor positions at the branch level and below in the Office of the Associate Administrator for Civil Aviation Security (ACS), including regional and center Civil Aviation Security Divisions, at a minimum as noncritical-sensitive.

e. Designate all contractor positions within ACS requiring access to classified information, except clerical positions as described in paragraph 302d, at a minimum as critical-sensitive.

f. Designate all contractor positions within ACS that do not require access to classified information, except clerical positions as described in paragraph 302d, at a minimum as high risk.

g. If it becomes apparent that the risk level criteria outlined in paragraph 303 would not affect a sensitivity level designation that is based on access to classified information

or work within or access to ACS, the designation process need not be applied other than to record the designation.

303. RISK LEVEL DESIGNATION. The risk level designation system consists of designating each agency program for its impact and scope as related to the efficiency of the service, designating each position for its degree of risk to its program, and making any final adjustments necessary because of unique factors specific to certain positions, or to ensure organization uniformity of operations.

a. Program placement. Use Chart A to determine program placement (major, substantial, moderate, or limited). In most cases, the FAA will be "moderate." Procedures for determining program placement are:

(1) Determine the program's impact on the efficiency of the service by identifying the area of primary program focus and then relating that area to one of the impact descriptions (major, substantial, moderate, or limited) listed in the left column of Chart A. The area of primary focus will be one of the following:

- (a) Accounting for, auditing, or disbursement of public funds.
- (b) Administrative, regulatory, or policy control over public and/or private programs or operations.
- (c) Protection of the national security.
- (d) Enforcement of Federal laws.
- (e) Protection of life or property.

(2) If a program has more than one area of primary focus or if questions arise as to placement of a program at one of two impact descriptions, the decision will be based on the best interests of the FAA's mission.

(3) Determine the program's scope of operations in terms of the efficiency of the service, choosing from one of the scopes (worldwide, Government-wide, multi-agency, or agency) listed across the top of Chart A. In most cases, the FAA will be determined as "agency."

CHART A

Scope of Operations				
IMPACT	WORLDWIDE: Operational activity is carried out worldwide, with primary focus in either the public or the private sector.	GOVERNMENTWIDE Operational activity is carried out Government-wide, to all sectors, with primary focus on the public sector Governmentwide.	MULTI-AGENCY: Nationally or regionally with primary focus extending to more than one agency in the public sector, or to the elements in the private sector impacted by the agencies.	AGENCY: Operations of the agency, or an agency's region or area, with primary focus extending to the elements in the private sector impacted by the agency.
MAJOR: Impacts directly on the survival, stability, and continued effectiveness of Government operations, the promotion of major Government fiscal goals, or a primary social, political, or economic interest of the Nation.	MAJOR	MAJOR	SUBSTANTIAL	MODERATE
SUBSTANTIAL: Impacts directly on the efficiency and effectiveness of a sizeable segment of the Federal work force, or the interests of large numbers of individuals in the private sector.	MAJOR	SUBSTANTIAL	SUBSTANTIAL	MODERATE
MODERATE: Impacts directly on the effectiveness of an agency's operations, the fiscal interests of an agency, or affects the social, political, or economic interests of individuals, businesses, or organizations in the private sector.	SUBSTANTIAL	MODERATE	MODERATE	LIMITED
LIMITED: Limited impact on the operational effectiveness of one or a few programs in an agency, or the interests of a limited number of individuals in the private sector.	MODERATE	MODERATE	LIMITED	LIMITED
Program Placement				

b. Position risk points. Use Chart B to assign risk points to each contractor position. In determining position risk points, the duties and responsibilities of the position will be considered in the context of the program and the risk the position has for damage or abuse to the program. The procedure requires a determination of the degree of impact on the program of each of five risk factors and the assignment of points to each risk factor. The procedures are:

(1) Determine the degree of impact for each of the five risk factor descriptions shown across the top of Chart B. For all of the factors except "supervision received," use the degree descriptions shown in the *left* column. For "supervision received," use the degree descriptions shown in the *right* column.

(2) Assign a point value for each risk factor to numerically reflect the degree of impact. The greater the impact, the more points assigned. Although Chart B only shows point values of 1, 3, 5, and 7, points may be assigned at the 2, 4, and 6 values to reflect borderline determinations.

(3) Add the point values for each of the risk factors to determine the total risk points.

c. Tentative risk levels. Use Chart C to find the tentative risk level by applying the program placement determination (left column) and the total risk points (top of the chart). The sum of the risk points and the program placement combine to determine the tentative risk level.

CHART B

RISK FACTOR DESCRIPTIONS					
DEGREE	DEGREE OF PUBLIC TRUST: The consensus of confident expectation for honesty, integrity, reliability, responsibility, or justice placed in a position.	FIDUCIARY MONETARY RESPONSIBILITY: Authority or ability to obligate, control, or expend public money or items of monetary (bonds, etc.) value.	IMPORTANCE TO PROGRAM: Impact the individual position has, due to status, in or influence on the program as a whole, either individually or collectively.	PROGRAM AUTHORITY: Ability to manipulate authority or control the outcome or results of all or key portions of a program or policy.	SUPERVISION RECEIVED: Frequency work is reviewed and nature of the review. DEGREE
MAJOR: Potential for Independently compromising the integrity and effectiveness of a major program element or component, or in conjunction with others, damaging all phases of program operations.	7	7	7	7	7 Limited: Occasional review only with respect to major policy issues by superior without expertise in the technical aspects of program policy and operations.
SUBSTANTIAL: Potential for reducing the efficiency of overall program operations, or the overall operations of major program elements or components independently, or through collective action with others.	5	5	5	5	5 Periodic: Ongoing spot review of policy and major operational considerations of work by superior, with some knowledge of program operations, but with minimal technical program expertise.
MODERATE: Potential for reducing the efficiency of the overall or day-to-day operations of a major program element or component, through independent action or collectively with others.	3	3	3	3	3 Moderate: Technical: Ongoing spot review of work in connection with important operation issues by superior with technical program expertise.
LIMITED: Potential for damage not meeting above criteria.	1	1	1	1	1 Close Technical: Continuing review of all phases of work by supervisor with technical program expertise.
POSITION RISK POINTS					

CHART C

II. POSITION RISK POINTS						
PROGRAM PLACEMENT	5-10	11-17	18-23	24-29	30-33	34-36
MAJOR	LOW RISK (LR)	MODERATE RISK (MR)	MODERATE RISK (MR)	HIGH RISK (HR)	HIGH RISK (HR)	HIGH RISK (HR)
SUBSTANTIAL	LOW RISK (LR)	MODERATE RISK (MR)	MODERATE RISK (MR)	MODERATE RISK (MR)	HIGH RISK (HR)	HIGH RISK (HR)
MODERATE	LOW RISK (LR)	LOW RISK (LR)	MODERATE RISK (MR)	MODERATE RISK (MR)	MODERATE RISK (MR)	HIGH RISK (HR)
LIMITED	LOW RISK (LR)	LOW RISK (LR)	LOW RISK (LR)	LOW RISK (LR)	LOW RISK (LR)	HIGH RISK (HR)
POSITION RISK LEVEL AND TYPE OF BACKGROUND INVESTIGATION						

d. Final adjustment. Some positions, by the very nature of the duties and responsibilities of the program or the position, require designation at certain level of risk. Any decision on final adjustment should be made only after careful analysis of the position in terms of uniqueness or uniformity.

(1) Uniqueness. Factors that are unique, not fully accounted for in the above procedures, and that can cause final adjustments include:

- (a) Special investigative or criminal justice duties.
- (b) Control of an automated monetary system (key access entry).
- (c) Certain other special duties, such as a special assistant to the Administrator or foreign nationals and/or immigrant aliens with unique qualities, skills, and/or character unobtainable elsewhere.
- (d) Support positions with no responsibilities for preparation or implementation of public trust program policies and plans, but involving regular contact with and ongoing knowledge of all or most of such material, e.g., budget analyst.
- (e) Any other factors believed relevant, provided they are documented.

(2) Uniformity. A clearly indicated need for uniformity in position designation because of authority level or program placement level may serve as a basis for making adjustments. Such a need may be for all positions within a particular program to be at a risk level paralleling the program's placement level. This would occur in those cases where the placement level is determined to be so overriding as to negate any specific risk considerations associated with individual positions within the program.

304. SPECIAL RISK LEVEL DESIGNATIONS.

a. Automated information systems (AIS). Risk level designations for positions involving access to AIS are an integral part of the risk and sensitivity level designation processes. The following criteria will be applied when determining the risk level designations for these positions. (Also refer to Order 1600.1D, appendix 3.)

POSITION CATEGORY	MINIMUM RISK LEVEL
(1) Responsibility for development and administration of an AIS security program, including direction and control of risk analyses and/or threat assessments.	6
(2) Significant involvement in life-critical or mission-critical systems.	6
(3) Responsibility for preparation or approval of data for input into an AIS that does not necessarily involve personal access to the system, but with relatively high risk for causing grave damage or realizing significant personal gain.	6
(4) Relatively high-risk assignments associated with or directly involving the accounting, disbursement, or authorization for disbursement from an AIS of dollar amounts of \$10 million per year or greater or lesser amounts if the activities of the individual are not subject to technical review by higher authority to ensure the integrity of the system.	6
(5) Major responsibility for the direction, planning, design, testing, maintenance, operation, monitoring, and/or management of systems hardware and software.	6
(6) Other positions that involve relatively high risk for causing grave damage or realizing significant personal gain.	6
(7) Responsibility for systems design, operation, testing maintenance, and/or monitoring that is carried out under technical review by a higher authority at the high-risk level to ensure the system's integrity	5
(8) Access to and/or processing of proprietary data, information protected by the Privacy Act, and Government-developed privileged information in or on a major FAA AIS (not personal computers or local area networks) involving the award of contracts.	5
(9) Accounting, disbursement, or authorization for disbursement from systems of dollar amounts less than \$10 million per year.	5
(10) Other positions that involve a degree of access to a system that creates a significant potential for damage or personal gain less than that in high-risk.	5
(11) All AIS positions not falling into one of the above categories/risk levels.	1

b. Positions with special responsibilities or that are unique. There are certain positions within the FAA that are unique, have special responsibilities, or for which there is a need for uniformity. Minimum risk levels have been set for these positions, regardless of the level determined under the other criteria and procedures outlined in this chapter. The following criteria will be applied when determining the risk level designations for these positions. (Also refer to Order 1600.1D, appendix 3.)

POSITION CATEGORY	MINIMUM RISK LEVEL
(1) Employee at the national headquarters level responsible for the development and/or approval of national plans, policies, or programs for continuity of FAA operations during national emergencies.	6
(2) Manager responsible for the conduct of accident investigations and/or enforcement of standards through the certification/inspection process.	5
(3) Imprest fund cashier or alternate responsible for a fund in excess of \$20,000.	6
(4) Imprest fund cashier or alternate responsible for a fund in excess of \$2,000 but not more than \$20,000.	5
(5) Contractor employee who directly assists and/or directly impacts the duties and responsibilities of a contracting officer or specialist who has sole, final authority to approve contracts in excess of \$1,000,000 in value or acquire or dispose of lands or facilities in excess of \$1,000,000 in value when the approval or other action is not subject to any higher-level approval or concurrence.	6
(6) Contractor employee who directly assists and/or directly impacts the duties and responsibilities of a contracting officer or specialist who has sole, final authority to approve contracts up to \$1,000,000 in value or acquire or dispose of lands or facilities up to \$1,000,000 in value when the approval or other action is not subject to any higher-level approval or concurrence.	5
(7) Contractor employee who directly assists and/or directly impacts the duties and responsibilities of a budget officer in headquarters, regions, and centers.	6
(8) Contractor employee who fills a position as or directly assists and/or impacts the duties and responsibilities of a budget analyst in headquarters, regions, and centers.	5
(9) Contractor employee at the regional, center, or headquarters level who directly assists or impacts the overall management overall management of: (a) An activity's property accountability system, to include the conduct of property inventories and the governing of survey boards; (b) acquisition and disposal of lands or FAA facilities; (c) contracting and issuing of grants; and (d) accounting and/or disbursing of Government funds.	6

c. Regional positions.

(1) Program placements. To ensure uniformity throughout the FAA in designating positions common in more than one region, program placement designations as described in paragraph 303 for offices and divisions at the regional level will be made using the following criteria, unless circumstances unique to a region dictate that a program should be higher. If these programs exist at centers on a scale comparable to that of a region, the stated levels will apply. (Also refer to Order 1600.1D, appendix 3.)

POSITION CATEGORY	PROGRAM PLACEMENT
(a) AirTraffic	Moderate
(b) Aircraft Certification	Moderate
(c) Airports	Moderate
(d) Airway Facilities	Moderate
(e) Assistant Chief Counsel	Moderate
(f) Aviation Medical	Moderate
(g) Civil Rights	Limited
(h) Flight Standards	Moderate
(i) Human Resource Management	Limited
(j) International Affairs	Major
(k) Logistics	Limited
(l) Public Affairs	Moderate
(m) Regional Administrator and immediate staff	Moderate
(n) Regional Operations Center	Moderate
(o) Resource Management	Limited
(p) Security	Moderate

(2) Risk levels. The following criteria will be applied when making risk level designations for common regional level positions. If these positions exist at headquarters or centers on a scale comparable to that of a region, the stated levels will apply. (Also refer to Order 1600.1D, appendix 3.)

POSITION CATEGORY	MINIMUM RISK LEVEL
(a) AirTraffic Control Specialist, Center	5
(b) AirTraffic Control Specialist, Terminal	5
(c) Air Traffic Control Specialist, Flight Service Station	5
(d) Air Traffic Assistant	1
(e) Air Traffic Technical Support Staff	1
(f) Aerospace Engineer, Aircraft Certification	5
(g) Program Analyst, Airports	1
(h) Engineer, Airway Facilities	5
(i) Airway Transportation Systems Specialist, Airway Facilities	5
(j) Engineering Technician, Airway Facilities	5
(k) Electronics Technician, Airway Facilities	5
(l) Support positions to the Assistant Chief Counsel	1

POSITION CATEGORY	MINIMUM RISK LEVEL
(m) Flight Surgeon, Aviation Medical	5
(n) EEO Specialist	1
(o) Support positions to the employee drug program	5
(p) Employee Relations Specialist	5
(q) International Aviation Specialist	5
(r) Logistics positions (other criteria may apply)	1
(s) Support positions to the Regional Administrator	5
(t) Computer Specialist, Resource Management	5
(u) Computer Assistant, Resource Management	1

305. DOCUMENTING POSITION RISK LEVEL DESIGNATIONS. The operating office is responsible for making position risk/sensitivity level designations, assisted by the CO/COTR, LMS, or RECO, as applicable, and in consultation with the SSE, for all contractor employee positions within its area of responsibility. The designations must be recorded on FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record. This form is then forwarded to the SSE for review, approval, and entry of certain data prior to implementation of the designations. ACO-300 will assist regions and centers as necessary in reviewing position descriptions for positions common in more than one region or center. When doing so, ACO-300 will coordinate with headquarters offices and services as needed, particularly for straight-lined organizations. The following paragraphs describe how to complete FAA Form 1600-77 (a copy of this form is contained in appendix 2) and provide a step-by-step example using a typical contract scenario.

a. Preparation of FAA Form 1600-77.

(1) Section 1, Contractor/Subcontractor Identification.

(a) Contractor Name/Subcontractor. This block should contain the name of the contractor or subcontractor.

(b) Organization Code or Cost Center. This block should contain the organization code or routing symbol of the office requesting the contract services. It should be specific enough to identify an office or person who can be contacted for information, if needed.

(c) Purpose of Contract. Brief explanation of services requested, i.e., LAN support, air traffic control services, upgrade of system hardware.

(d) Contract/Solicitation Number. Enter the contract number. For contracts not yet awarded, the solicitation number should be entered in this block and changed to the contract number once the contract is awarded.

(e) Position Title. This block should contain the title of the position whose risk designation is being determined. If the position title is not indicative of the actual work being performed, include a brief description. For example, Project Administrator could be the manager of an entire program or it could be a secretary or administrative officer. Be as specific as possible when entering information into this block.

(2) Section 2, Risk Designation System.

(a) Enter the impact designation determined using Chart A and the procedures outlined in paragraph 303a.

(b) Enter the scope of operations designation determinations using Chart A and the procedures outlined in paragraph 303a.

(c) Enter the program placement designation determined using Chart A and the procedures outlined in paragraph 303a.

(3) Section 3, Position Risk Points.

(a) Enter the point designations determined using Chart B and the procedures outlined in paragraph 303b.

(b) Enter the total points.

(4) Section 4, Risk/Sensitivity Level. Enter the risk or sensitivity level designation determined using Chart C and the procedures outlined in paragraphs 302 and 303c.

(5) Section 5, Final Adjustment Factor(s) (including AIS Risk Criteria). Enter any adjustment factors that apply determined under paragraph 303d.

(a) When the assessment indicates that a contractor employee is exempt from the investigative requirements, ensure sufficient justification is provided in this block.

(b) When the assessment is on a position that is expected to be filled by a foreign national and/or immigrant alien, enter the following information in this block (use a separate sheet of paper if additional space is needed):

1. a description of the unique quality, skill, and/or characteristic the proposed foreign national and/or immigrant alien contractor employee(s) possess(es) that is unobtainable elsewhere.

2. an explanation that if the services of the foreign national and/or immigrant alien are not obtained and the work cannot proceed, the mission will be seriously impaired to the extent that national security interests will be affected.

(6) Section 6, Level of Security Clearance Required (To be filled in by the SSE). The SSE will check the appropriate block.

(7) Section 7, Final Risk/Sensitivity Level. Enter the final risk and/or sensitivity level and any comments.

(8) Section 8, Level of Investigation Required (To be filled in by the SSE). The SSE will check the appropriate block based on the position risk/sensitivity level and the investigative requirements that apply in accordance with chapter 4.

(9) Sections 9 and 10. The operating office that completed the form will sign and date it upon completion and the SSE will sign and date the form after entering the data in sections 6 and 7 indicating approval.


(a) If, upon receipt of the form from the operating office, the SSE does not agree with the position risk/sensitivity level designations, he or she will contact the operating office and discuss his or her concerns. Every effort will be made to resolve any disagreement at the lowest, local level possible.

(b) The SSE will *not* sign the form until full agreement is met on the risk/sensitivity level designations.


b. This is an *example* of a common contractor position and the step-by-step procedures for completing FAA Form 1600-77. The Office of Airway Facilities has just put together a contract to place contractor employees in Air Route Traffic Control Centers (ARTCC's) throughout the U.S. who will be working side-by-side with FAA employees on a specific computer system that supports the National Airspace Systems (NAS). The office, in consultation with the SSE, has already established that no security clearance and no access to classified information will be necessary for these contractor positions. The contract has been awarded and a contract number has been assigned.

(1) Basic Information.

(a) Item 1. Contractor Name/Subcontractor.

 U.S. Department of Transportation Federal Aviation Administration	CONTRACTOR POSITION RISK / SENSITIVITY LEVEL DESIGNATION RECORD
Contractor Name / Subcontractor <i>XYZ Systems Corporation</i>	

(b) Item 2. Organization Code or Cost Center.

 U.S. Department of Transportation Federal Aviation Administration	CONTRACTOR POSITION RISK / SENSITIVITY LEVEL DESIGNATION RECORD	
	Contractor Name / Subcontractor <i>XYZ Systems Corporation</i>	Organization Code or Cost Center <i>AOP-100</i>

(c) Item 3. Purpose of Contract.

Purpose of Contract <i>Support for the NISC contract</i>

(d) Item 4. Contract Solicitation Number.

Purpose of Contract <i>Support for the NISC contract</i>	Contract / Solicitation Number <i>DTFA01-00-C-12345</i>
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(e) Item 5. Position Title. (The sample title provided is only one example; other titles might be "Computer Programmer" or "Computer Analyst.")

Position Title <i>Systems Engineer</i>	
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(2) Program Placement.

(a) Item 1. Impact on Efficiency of Service. This is to determine the potential risk to the national security that the Office of Airway Facilities might cause. In this example, the risk is "Substantial."

If the position is a national security position (security clearance required) Sections I, II and III are optional.				
RISK DESIGNATION SYSTEM				
I. Program Placement				
Impact on efficiency of service	Major <input type="checkbox"/>	Substantial <input checked="" type="checkbox"/>	Moderate <input type="checkbox"/>	Limited <input type="checkbox"/>

(b) Item 2. Scope of Operations for efficiency of service. This is to determine the efficiency of the service. In this example, it is "Agency."

Scope of Operations for efficiency of service	World Wide <input type="checkbox"/>	Gov't Wide <input type="checkbox"/>	Multi-Agency <input type="checkbox"/>	Agency X
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(c) Item 3. Placement. This establishes the program placement for your risk level. Chart A, section IV, is used to determine this item. In this example, it is "Moderate."

Placement	Major <input type="checkbox"/>	Substantial <input type="checkbox"/>	Moderate X	Limited <input type="checkbox"/>
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(3) **Position Risk Points.** This determines the degree of impact the *position* has on the program, including the potential risk or damage possible to the program. To establish the impact of a position, each risk factor description is rated on a point scale from 1-7, with 7 representing the highest potential for risk.

(a) Item a. Degree of Public Trust. Consensus of confident expectation for honesty, integrity, reliability, responsibility, or justice placed in a position. In this example, the point value for this risk factor is "5," "Substantial."

II. Position Risk Points			
a. Degree of public trust	(7-1)	5	
b. Fiduciary responsibilities	(7-1)		
c. Importance to program	(7-1)		
d. Program authority level	(7-1)		
e. Supervision received	(7-1)		
			TOTAL POINTS:

(b) Item b. Fiduciary Responsibilities. This refers to whether the position has the authority or ability to obligate, control, or expend public money or items of monetary value (such as bonds). In this example, the point value for this risk factor is "1," "Limited."

II. Position Risk Points			
a. Degree of public trust	(7-1)	5	
b. Fiduciary responsibilities	(7-1)	1	
c. Importance to program	(7-1)		
d. Program authority level	(7-1)		
e. Supervision received	(7-1)		
			TOTAL POINTS:

(c) Item c. Importance to the program. This refers to the impact the *individual position* has, due to status or influence, on the program as a whole, either individually or collectively. In this example, the point value for this risk factor is "5," "Substantial."

II. Position Risk Points			
a. Degree of public trust	(7-1) -----	5	
b. Fiduciary responsibilities	(7-1) -----	1	
c. Importance to program	(7-1) -----	5	
d. Program authority level	(7-1) -----		
e. Supervision received	(7-1) -----		TOTAL POINTS:

(d) Item d. Program authority level. This refers to the ability to manipulate authority or control the outcome or results of all or key portions of a program or policy. In this example, the point value for this risk factor is "5," "Substantial."

II. Position Risk Points			
a. Degree of public trust	(7-1) -----	5	
b. Fiduciary responsibilities	(7-1) -----	1	
c. Importance to program	(7-1) -----	5	
d. Program authority level	(7-1) -----	5	
e. Supervision received	(7-1) -----		TOTAL POINTS:

(e) Item e. Supervision received. This item refers to the frequency with which the work is reviewed by a supervisor and the nature or degree of the review. In this example, the point value for this risk factor is "5," "Substantial."

II. Position Risk Points			
a. Degree of public trust	(7-1) -----	5	
b. Fiduciary responsibilities	(7-1) -----	1	
c. Importance to program	(7-1) -----	5	
d. Program authority level	(7-1) -----	5	
e. Supervision received	(7-1) -----	5	TOTAL POINTS:

(f) Item f. Total points. Add up the points assigned to items a through e and enter the total. In this example, the total points is "21."

II. Position Risk Points			
a. Degree of public trust	(7-1) -----	5	
b. Fiduciary responsibilities	(7-1) -----	1	
c. Importance to program	(7-1) -----	5	
d. Program authority level	(7-1) -----	5	
e. Supervision received	(7-1) -----	5	TOTAL POINTS: 21

(4) Risk/Sensitivity Level. To determine the risk level of a position, refer to Chart C, Position Risk Points, and to determine the sensitivity level of a position, refer to paragraph 301. For this example, we have already determined that our "Program Placement" is "Moderate" and our total "Position Risk Points" is "21." Refer to Chart C, find "Moderate" under the "Program Placement" column, then find where "21" points falls. In this example, "21" falls under the "18-23" column. By scrolling down the point column and across to the "Program Placement," the Position Risk Level is "Moderate Risk;" therefore, enter "5" as the "Risk Level."

III. Risk/Sensitivity Level	
High Risk – 6	Critical-Sensitive – 3
Moderate Risk – 5	Noncritical-Sensitive – 2
Special-Sensitive – 4	Low Risk – 1
RISK LEVEL: 5	

(5) Final Adjustment Factor(s), including AIS Risk Criteria. This section is for entering any unique factors that apply to the position. In this example, the position requires Level II AIS access.

IV. Final Adjustment Factor(s), Including AIS Risk Criteria
<i>AIS Level II access required.</i>

(6) Level of Security Clearance Required. This section is for entering the level of access to classified information required by the position. In this example, the position does not require access to classified, therefore, no security clearance is required.

Level of Security Clearance Required <i>(To be filled in by the SSE)</i>			
<input type="checkbox"/> TOP SECRET	<input type="checkbox"/> SECRET	<input type="checkbox"/> CONFIDENTIAL	<input checked="" type="checkbox"/> NONE


(7) Final Risk/Sensitivity Level. This section is for entering the final risk or sensitivity level for the position. For this example, the final risk level is "5," "Moderate Risk." Once this information is entered, the form is ready to be signed by the operating office and submitted to the SSE for review and approval.

V. Final Risk / Sensitivity Level
Final Risk/Sensitivity Level - 5, <i>Moderate Risk</i>
Comments:

(8) SSE actions. Once the SSE receives the completed form from the operating office, he or she must review the data, ensure it is accurate and appropriate for the position described, and determine the level of investigation if any required for the position. He or she must enter the information, sign the form, and return it to the operating office. (Refer to the sample completed form at the end of this chapter.)

Level of Investigation Required <i>(To be filled in by the SSE)</i>		
<input type="checkbox"/> FP Check	<input checked="" type="checkbox"/> NACI	<input type="checkbox"/> NACIC
<input type="checkbox"/> MBI	<input type="checkbox"/> LBI	<input type="checkbox"/> BI
<input type="checkbox"/> SBI		
Operating Office/CO <i>(providing input)</i> and Code	Signature of Operating Office/CO <i>(providing input)</i>	Date
Approving Security Official <i>(Type or Print name)</i>	Signature of Approving Security Official	Date

306-399. RESERVED.

 <p>U.S. Department of Transportation Federal Aviation Administration</p>	<h2 style="margin: 0;">CONTRACTOR POSITION RISK / SENSITIVITY LEVEL DESIGNATION RECORD</h2>		
Contractor Name / Subcontractor <i>XYZ Systems Corporation</i>	Organization Code or Cost Center <i>AOP-100</i>		
Purpose of Contract <i>Support of the NISC contract</i>	Contract / Solicitation Number <i>DTFA01-00-C-12345</i>		
Position Title <i>Systems Engineer</i>			
If the position is a national security position (security clearance required) Sections I, II and III are optional.			
RISK DESIGNATION SYSTEM			
I. Program Placement			
Impact on efficiency of service	Major <input type="checkbox"/>	Substantial <input checked="" type="checkbox"/>	Moderate <input type="checkbox"/>
Scope of Operations for efficiency of service	World Wide <input type="checkbox"/>	Gov't Wide <input type="checkbox"/>	Multi-Agency <input type="checkbox"/>
Placement	Major <input type="checkbox"/>	Substantial <input type="checkbox"/>	Moderate <input checked="" type="checkbox"/>
II. Position Risk Points			
a. Degree of public trust	(7-1) -----	5	
b. Fiduciary responsibilities	(7-1) -----	1	
c. Importance to program	(7-1) -----	5	
d. Program authority level	(7-1) -----	5	
e. Supervision received	(7-1) -----	5	
		TOTAL POINTS: 21	
III. Risk/Sensitivity Level			
High Risk - 6	Critical-Sensitive - 3		
Moderate Risk - 5	Noncritical-Sensitive - 2		
Special-Sensitive - 4	Low Risk - 1		
			RISK LEVEL: 5
IV. Final Adjustment Factor(s), Including AIS Risk Criteria			
<i>AIS Level II access required.</i>			
Level of Security Clearance Required (To be filled in by the SSE)			
<input type="checkbox"/> TOP SECRET	<input type="checkbox"/> SECRET	<input type="checkbox"/> CONFIDENTIAL	<input checked="" type="checkbox"/> NONE
V. Final Risk / Sensitivity Level			
Final Risk/Sensitivity Level - 5, <i>Moderate Risk</i>			
Comments:			
Level of Investigation Required (To be filled in by the SSE)			
<input type="checkbox"/> FP Check	<input checked="" type="checkbox"/> NACI	<input type="checkbox"/> NACIC	<input type="checkbox"/> MBI
		<input type="checkbox"/> LBI	<input type="checkbox"/> BI
			<input type="checkbox"/> SBI
Operating Office/CO (providing input) and Code	Signature of Operating Office/CO (providing input)	Date	
Approving Security Official (Type or Print name)	Signature of Approving Security Official	Date	

the only family in the house, and the only one in the village.

The only family in the house, and the only one in the village.

CHAPTER 4. INVESTIGATIVE REQUIREMENTS AND INITIATION PROCEDURES

400. INTRODUCTION. This chapter prescribes specific investigative requirements that apply to contractor employee positions that have been established for given circumstances and the procedures for initiating required investigations.

401. TYPES OF BACKGROUND INVESTIGATIONS. The Office of Personnel Management (OPM) conducts the background investigations for the FAA for all contractor positions that do not require access to classified information. The Defense Security Service (DSS) conducts the background investigations for the FAA for all contractor positions requiring access to classified information. The following identifies the various types of investigations conducted by OPM and DSS that will be referred to throughout this chapter. For a detailed explanation of each type of investigation listed below, refer to FAA Order 1600.1D, Personnel Security Program, Chapter 6, Personnel Investigation Requirements.

a. Initial investigations:

- (1) National Agency Check (NAC).
- (2) National Agency Check and Inquiries (NACI).
- (3) National Agency Check, Law Enforcement, and Credit (NACLC).
- (4) Minimum Background Investigation (MBI).
- (5) Limited Background Investigation (LBI).
- (6) Single Scope Background Investigation (SSBI).

b. Reinvestigations:

- (1) Periodic Reinvestigation (PRI).
- (2) Periodic Reinvestigation for SSBI (SSBI-PR).

c. Supplemental, upgrade, and update investigations (note that there is no update investigation for an MBI):

- (1) Reimbursable Suitability/Security Investigation (RSI).
- (2) Upgrade a BI to an SSBI: SGI.
- (3) Upgrade an LBI to a BI: BGI.

- (4) Upgrade an MBI to an LBI: LGI.
- (5) Update investigation for an SSBI: SDI.
- (6) Update investigation for a BI: BDI.
- (7) Update investigation for an LBI: LDI.

402. INVESTIGATIVE REQUIREMENTS. The risk or sensitivity level of the position, and in some cases the security clearance required of a person holding the position, dictates the type of investigation required. Therefore, the procedures outlined in chapter 4 of this order must be understood and completed prior to continuing. Contractor employees having comparable exposure to FAA facilities, sensitive information, and/or resources will be subject to the same investigative requirements as FAA employees, except for the low risk positions identified herein. At a minimum, *no* contractor employee may begin work until the SSE has received all necessary investigative forms, resolved any issues, and provided written notice to the operating office authorizing the contractor employee to begin work. (Refer to appendix 2 for sample written authorizations.)

a. High-risk positions. The minimum investigative requirement for contractor employees in these positions, as prescribed in Order 1600.1D, appendix 9, paragraph 8b, is a Background Investigation (BI). The following table provides assistance in determining additional requirements that may apply to these positions in given circumstances.

Case Circumstances	Investigative Requirement/Action
(1) Candidate with no prior investigation.	BI. The BI must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8b.
(2) Candidate with prior SSBI or BI completed within past 5 years, and <i>no</i> break in employment of 1 year or more.	No new or update investigation required, <i>unless</i> investigative forms (SF-85P, continuation sheet, etc.), identify issues not addressed in the investigation that require extensive investigative work to resolve; or there is substantial information indicating the person may not meet the suitability standard and criteria outlined in

Case Circumstances	Investigative Requirement/Action
(2) continued.	Order 1600.1D, chapter 4. If an update investigation is deemed necessary, it must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8b. Obtain and review prior investigation, current records, and investigative forms.
(3) Candidate with prior SSBI or BI completed within past 5 years, and there <i>is</i> a break in employment of more than 1 year.	BDI. Obtain and review prior investigation, current records, and investigative forms. The BDI must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8b.
(4) Candidate with prior SSBI or BI completed more than 5 years ago, with <i>no</i> update investigation, and <i>no</i> break in employment.	PRI. The PRI must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8b.
(5) Candidate with prior investigation of any type completed more than 5 years ago, with <i>no</i> update investigation, and <i>any</i> break in employment.	BI. The BI must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8b.
(6) Candidate with LBI completed within past 5 years.	BGI. The BGI must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8b.
(7) Candidate with MBI, NACI, or NAC.	BI. The BI must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8b.

b. Moderate-risk positions. The minimum investigative requirement for contractor employees in these positions, as prescribed in Order 1600.1D, appendix 9, paragraph 8c, is a National Agency Check and Inquiries (NACI). The following table provides assistance in determining additional requirements that may apply to these positions in given circumstances.

Case Circumstances	Investigative Requirement/Action
(1) Candidate with no prior investigation.	NACI. Whenever possible, the NACI should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8c.
(2) Candidate with prior SSBI, BI, LBI, MBI, or NACI completed within past 5 years, and no break in employment of more than 1 year.	No new or update investigation required, unless investigative forms (SF-85P, continuation sheet, etc.), identify issues not addressed in the investigation that require extensive investigative work to resolve; or there is substantial information indicating the person may not meet the suitability standard and criteria outlined in Order 1600.1D, chapter 4. If an update investigation is deemed necessary, it should be completed and favorably adjudicated prior to commencement of work by the contractor employee unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8c. Obtain and review prior investigation, current records, and investigative forms.
(3) Candidate with prior SSBI, BI, LBI, MBI, or NACI completed within last 5 years, and there is a break in employment of more than 1 year.	NACI. Obtain and review prior investigation, current records, and investigative forms (SF-85P, continuation sheet, etc.). Whenever possible, the NACI should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8c.
(4) Candidate with prior investigation of any type completed more than 5 years ago, with no update investigation, and no break in employment.	NACI. Whenever possible, the NACI should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8c.
(5) Candidate with prior investigation of any type completed more than 5 years ago, with no update investigation, and any break in employment.	NACI. Whenever possible, the NACI should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8c.

Case Circumstances	Investigative Requirement/Action
(6) Candidate with NAC.	NACI. Whenever possible, the NACI should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8c.

c. Positions in the Office of the Associate Administrator for Civil Aviation Security (ACS). The minimum investigative requirement for all contractor employees filling security positions within ACS and subordinate offices is an LBI, unless access to classified information is required. The following table provides assistance in determining additional requirements that may apply to these positions in given circumstances.

Case Circumstances	Investigative Requirement/Action
(1) Candidate with no prior investigation.	LBI. The LBI must be completed and favorably adjudicated prior to commencement of work by the contractor employee.
(2) Candidate with prior SSBI, BI, or LBI completed within past 5 years, and <i>no</i> break in employment of more than 1 year.	No new or update investigation required, <i>unless</i> investigative forms (SF-85P, continuation sheet, etc.) identify issues not addressed in the investigation that require extensive investigative work to resolve; or there is substantial information indicating the person may not meet the suitability standard and criteria outlined in Order 1600.1D, chapter 4. If an update investigation is deemed necessary, it should be completed and favorably adjudicated prior to commencement of work by the contractor employee. Obtain and review prior investigation, current records, and investigative forms.
(3) Candidate with prior MBI completed within past 5 years, and there is <i>no</i> break in employment of more than 1 year.	LGI. The LGI must be completed and favorably adjudicated prior to commencement of work by the contractor employee. Obtain and review prior investigation, current records, and investigative forms.
(4) Candidate with prior NACI, or NAC completed within past 5 years, and there <i>is</i> or is <i>no</i> break in employment.	LBI. The LBI must be completed and favorably adjudicated prior to commencement of work by the contractor employee. Obtain and review prior investigation, current records, and investigative forms.

Case Circumstances	Investigative Requirement/Action
(5) Candidate with prior SSBI, BI, or LBI completed within past 5 years, and there <i>is</i> a break in employment of more than 1 year.	LDI. Obtain and review prior investigation, current records, and investigative forms (SF-85P, continuation sheet, etc.). The LDI must be completed and favorably adjudicated prior to commencement of work by the contractor employee.
(6) Candidate with prior MBI completed within past 5 years, and there <i>is</i> a break in employment of more than 1 year.	LGI. The LGI must be completed and favorably adjudicated prior to commencement of work by the contractor employee. Obtain and review prior investigation, current records, and investigative forms.
(7) Candidate with prior investigation of any type completed more than 5 years ago, with no update investigation, and <i>no</i> break in employment.	PRI. Obtain and review prior investigation, current records, and investigative forms. The PRI must be completed and favorably adjudicated prior to commencement of work by the contractor employee.
(8) Candidate with prior investigation of any type completed more than 5 years ago, with <i>no</i> update investigation, and <i>any</i> break in employment.	LBI. Obtain and review prior investigation, current records, and investigative forms. The LBI must be completed and favorably adjudicated prior to commencement of work by the contractor employee.
(9) Positions designated high risk.	Refer to paragraph 402a.
(10) Positions designated critical-sensitive.	Refer to paragraph 404b.

d. Critical-area positions. The minimum investigative requirement for contractor employees in these positions having comparable exposure to FAA facilities, sensitive information, and/or resources as do FAA employees will be an NACI, as prescribed by Order 1600.1D, appendix 9, paragraph 8a, unless otherwise specified. As a reminder, these positions can include, but are not limited to, air traffic control, weapon carrying, AIS, communications, AIS penetration testing, and those located in or having access to sensitive areas or security offices (this refers to *support* positions within a security office and *not* actual security positions). If there should be *any* doubt as to whether a position fits into this category, the SSE should err on the conservative side and require an NACI. The following table provides assistance in determining additional requirements that may apply to these positions in given circumstances.

Case Circumstances	Investigative Requirement/Action
(1) Candidate with no prior investigation.	NACI. Whenever possible, the NACI should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a.

Case Circumstances	Investigative Requirement/Action
(2) Candidate with prior SSBI, BI, LBI, MBI, NACI or completed within past 5 years, and no break in employment of more than 1 year.	No new or update investigation required, unless investigative forms (SF-85P, continuation sheet, etc.), identify issues not addressed in the investigation that require extensive investigative work to resolve; or there is substantial information indicating the person may not meet the suitability standard and criteria outlined in Order 1600.1D, chapter 4. If an update investigation is deemed necessary, it should be completed and favorably adjudicated prior to commencement of work by the contractor employee unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a. Obtain and review prior investigation, current records, and investigative forms.
(3) Candidate with prior SSBI, BI, LBI, MBI, or NACI completed within past 5 years, and there is a break in employment of more than 1 year.	NACI. Obtain and review prior investigation, current records, and investigative forms (SF-85P, continuation sheet, etc.). Whenever possible, the NACI should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a.
(4) Candidate with NAC.	NACI. Whenever possible, the NACI should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a.
(5) Positions designated high risk.	Refer to paragraph 402a.

e. Fiduciary positions. The minimum investigative requirement for contractor employees who perform fiduciary duties or support FAA positions with fiduciary responsibilities is an NACI and a credit check, as prescribed by Order 1600.1D, appendix 9, paragraph 8a(4). The following table provides assistance in determining additional requirements that may apply to these positions in given circumstances.

Case Circumstances	Investigative Requirement/Action
(1) Candidate with no prior investigation.	NACI and a credit check. The NACI and credit check, must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a(4).

Case Circumstances	Investigative Requirement/Action
(2) Candidate with prior SSBI, BI, LBI, MBI, or NACI completed within past 5 years, and <i>no</i> break in employment of more than 1 year.	No new or update investigation required, but must obtain an updated credit check, <i>unless</i> investigative forms (SF-85P, continuation sheet, etc.), identify issues not addressed in the investigation that require extensive investigative work to resolve; or there is substantial information indicating the person may not meet the suitability standard and criteria outlined in Order 1600.1D, chapter 4. If an update investigation is deemed necessary, it and an updated credit check should be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a(4). Obtain and review prior investigation, current records, and investigative forms.
(3) Candidate with prior SSBI, BI, LBI, MBI, or NACI completed within past 5 years, and there <i>is</i> a break in employment of more than 1 year.	NACI and a credit check. Obtain and review prior investigation, current records, and investigative forms (SF-85P, continuation sheet, etc.), and obtain an updated credit check. The NACI and credit check must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a(4).
(4) Candidate with prior investigation of any type completed more than 5 years ago, with <i>no</i> update investigation, and <i>no</i> break in employment.	NACI and a credit check. Obtain and review prior investigation, current records, and investigative forms (SF-85P, continuation sheet, etc.), and obtain an updated credit check. The NACI and credit check must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a(4).
(5) Candidate with prior investigation of any type completed more than 5 years ago, with <i>no</i> update investigation, and <i>any</i> break in employment.	NACI and a credit check. Obtain and review prior investigation, current records, and investigative forms (SF-85P, continuation sheet, etc.), and obtain an updated credit check. The NACI and credit check must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a

Case Circumstances	Investigative Requirement/Action
(5) continued.	determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a(4)
(6) Candidate with NACI or NAC.	NACI and a credit check. The NACI and credit check must be completed and favorably adjudicated prior to commencement of work by the contractor employee, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8a(4).
(7) Position is designated high risk.	Refer to paragraph 402a.

f. Low-risk positions. The minimum investigative requirement for contractor employees in low-risk positions is a fingerprint check, as prescribed by Order 1600.1D, appendix 9, paragraph 8d, except as otherwise specified.

g. Non-critical area AIS positions (supply contractors, contractors who provide computer hardware, software, and/or services including commercial-off-the-shelf (COTS) computer hardware, software, and/or services). The minimum investigative requirement is a fingerprint check. However the investigative requirements for these positions may vary. The SSE and the operating office will consider:

- (1) The risk level of the position.
- (2) Length of the contract.
- (3) Nature and extent of access to sensitive FAA information and resources and the level of AIS access.
- (4) Whether such access will be escorted or unescorted.

h. Escort positions. As prescribed in Order 1600.1D, appendix 9, paragraph 8, when contractor employees are used to escort other contractor employees, the minimum investigative requirement is an NACI. The NACI must be completed and favorably adjudicated before a contractor employee can perform escort duties.

i. Temporary positions. There are no additional requirements to those prescribed in Order 1600.1D, appendix 9, paragraph 8e. Contractor employees in low-risk positions that are intermittent, seasonal, per diem, or temporary and who do not work on or provide services under an FAA contract, including, but not limited to, purchase order, lease agreement, consulting agreement, or MOA in excess of 180 days in either a single assignment or a series of assignments *may* be exempt from any investigative requirement. *[Note: The 180-day rule is not calculated on a 24-hour clock. 180 days refers to days regardless of how many hours in a given day the contractor employee actually works.]*

For example, if a contractor employee works one hour each day or one hour three days per week or one-two hours one day per week, each day in which the contractor employee works regardless of how many hours, represents one day.]

(1) The SSE and operating offices should work closely together to determine whether investigation of a contractor employee who falls into this category would be in the best interest of the FAA.

(2) The SSE and operating offices must consider whether an intermittent, seasonal, per diem, or temporary contractor employees who does not work on or provide services under an FAA contract, including, but not limited to, purchase order, lease agreement, consulting agreement, or MOA in excess of 180 days will require access to sensitive FAA information, resources, and AIS, and/or unescorted access to FAA facilities. The level of such access will dictate if an investigation would be warranted and the type of investigation.

j. Construction workers. There are no additional requirements to those prescribed in Order 1600.1D, appendix 9, paragraph 8f. The minimum investigative requirement for construction workers employed *longer* than 180 days is a fingerprint check. However, the investigative requirements for construction workers may vary depending on the location, type of construction, and whether unescorted access, to FAA facilities, sensitive information, and/or resources will be required.

(1) The SSE and operating offices should work closely together to determine whether investigation of a contractor employee who falls into this category would be in the best interest of the FAA.

(2) The SSE and operating offices must consider the location and type of construction, the length of the contract, and whether the construction worker(s) will require access to sensitive FAA information, resources, and AIS, and/or unescorted access to FAA facilities. The level of such access may dictate that investigation beyond a fingerprint check would be warranted. Additional factors the SSE and operating office should consider are, but not limited to:

(a) Where is the construction site located? Is it within an existing FAA-occupied facility or space? Is it external to an FAA-occupied facility or space? Is it complete construction of a new facility? Is it modification of a space within FAA-occupied space? Is it an addition to FAA-occupied space?

(b) What type of construction is it? Is it construction of a switching closet (a room that contains all the communications cables and circuit breakers for a given location, facility, or area)? Is it reconfiguration of an office floor plan, such as installation of cubicles or elimination of one or more existing walls? Is it facility repair work, such as replacement of a roof, door, or window or patching of a leaking roof, door or window?

(c) How will the construction workers gain access to the construction site? Will they have to pass through FAA-occupied space to access the site? If so, is the FAA-occupied space a hallway? Or is it an actual office or other location where FAA employees are working?

(d) What is the likelihood that the construction workers will gain access to FAA sensitive information and/or resources while passing through an FAA-occupied facility or space?

k. Delivery personnel and repair technicians. As prescribed in Order 1600.1D, appendix 9, paragraph 8g, the investigative requirements for positions like water delivery persons, vending machine delivery persons, Federal Express delivery persons, United Parcel Service delivery persons, and copier repair technicians, will also vary depending on the length of their contract, extent of access to FAA facilities, sensitive information, and/or resources and whether or not they will be escorted. It is the operating office's responsibility to assess the level of access required by these persons and provide this information to the SSE in order for him or her to make a determination that is in the best interest of the FAA. Additional factors the SSE and operating office should consider are, but not limited to:

(1) Where is the delivery site or item to be repaired located? Is it within an FAA-occupied facility or space? Is it external to an FAA-occupied facility or space? Is it in a hallway? Is it an actual office or other location where FAA employees are working? Is it a common area, such as a break room?

(2) What type of delivery or repair work is it? Is it delivery of water containers or office supplies? Is it repair of a copier machine, telephone, or other office equipment?

(3) How will the delivery person or repair worker gain access to make the delivery or affect the repair? Will they have to pass through FAA-occupied space to?

(4) What is the likelihood that the delivery person or repair worker will gain access to FAA sensitive information and/or resources while within or passing through an FAA-occupied facility or space?

l. Contract janitorial, construction, maintenance, property management, and repair workers in leased facilities.

(1) When FAA occupies a GSA-leased facility and GSA has contracted for janitorial, construction, maintenance, property management, or repair work, GSA is responsible for conducting background investigations on these workers, unless they are exempt pursuant to Order 1600.1D, appendix 9, paragraph 8e, and paragraph 402i of this order. The minimum investigative requirement is a fingerprint check. GSA is responsible for making the suitability determinations and providing written notification to FAA listing the names of the cleared workers.

(2) When FAA occupies a GSA-leased facility and has delegated authority to contract for janitorial, construction, maintenance, property management, or repair work, FAA is responsible for conducting the background investigations on these workers, unless they are exempt in accordance with Order 1600.1D, appendix 9, paragraph 8e, and paragraph 402i. The minimum investigative requirement is a fingerprint check. FAA is also responsible for making the suitability determinations.

(3) When GSA leases from a lessor a facility for occupancy by FAA that includes janitorial, construction, maintenance, property management, or repair services, GSA is responsible for conducting the background investigations on these workers, unless they are exempt pursuant to Order 1600.1D, appendix 9, paragraph 8e, and paragraph 402i. The minimum investigative requirement is a fingerprint check. GSA will make the suitability determinations and provide written notification to FAA listing the names of the cleared workers.

(4) If FAA occupies leased facilities but directly contracts for janitorial, construction, maintenance, property management, or repair work, it is responsible for conducting the background investigations and making the suitability determinations on such workers, unless they are exempt pursuant to Order 1600.1D, appendix 9, paragraph 8e, and paragraph 402i.

(5) When FAA leases from a lessor a facility that includes janitorial, construction, maintenance, property management, or repair services, contracted for by the lessor, it is responsible for conducting the background investigations on these workers, unless they are exempt pursuant to Order 1600.1D, appendix 9, paragraph 8e, and paragraph 402i. The minimum investigative requirement is a fingerprint check. FAA is also responsible for making the suitability determinations.

403. SPECIAL CIRCUMSTANCE INVESTIGATIVE REQUIREMENTS. When the FAA occupies facilities that are occupied by other tenants such as a credit union or cafeteria where the employees of these tenants have internal access to their space and/or must pass through FAA-occupied space, the operating office, RECO, and the SSE may consider negotiating with the lessor to include provisions for conducting security screenings on these employees in his or her contract or other agreement.

a. When determining whether to use this option, the SSE, operating office, and RECO must consider:

(1) Would conducting security screenings on the other tenant(s) be in the best interest of the FAA?

(2) Is FAA the controlling tenant? If not, it is not feasible to expect to conduct security screenings on every tenant in a multi-tenant facility nor is it feasible to conduct security screenings on credit union or cafeteria workers and not on other tenants. Do not seek to conduct security screenings on private businesses including, but not limited to, accounting firms, law firms, medical practices, and retail establishments.

(3) Is the sole other tenant a credit union or cafeteria? If so, is the FAA its primary customer?

(4) Is there any other way to prevent or minimize access to FAA-occupied space by the other tenant(s)? For example, can/would the lessor establish a separate entrance for the other tenant(s)?

b. If a determination is made that conducting security screenings on the other tenant(s) is feasible and would be in the best interest of the FAA, the RECO must negotiate with the lessor to include the required provisions in the contract or other agreement with the tenant in question. Appendix 1 contains sample lease agreement security clauses that can be tailored to the specific circumstances.

c. If there is any doubt or question as to whether or not to conduct a security screening on an individual, the SSE should consult with their General Counsel.

404. INVESTIGATIVE REQUIREMENTS FOR ACCESS TO CLASSIFIED INFORMATION. As stated in Order 1600.1D, appendix 10, DSS conducts the background investigations on all contractor employees who require access to classified information and grants the security clearances to those contractor employees as needed. Although the SSE is not required to make investigative, final suitability, or security determinations on such contractor employees, he or she should be familiar with the investigative requirements that apply.

a. Special-sensitive positions. The minimum investigative requirement for a contractor employee in a special-sensitive position requiring access at the SCI level is a Single Scope Background Investigation (SSBI). The following table provides additional requirements that may apply to these positions in given circumstances.

Case Circumstances	Investigative Requirement/Action
(1) Candidate with no prior investigation.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(2) Candidate with prior SSBI completed within past 5 years, and no break in employment of 1 year or more.	No new or update investigation required. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(3) Candidate with prior SSBI completed within past 5 years, but break in employment of more than 1 year.	SDI. The investigation must be completed prior to commencement of work, unless a determination is made pursuant to paragraph 505. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.

Case Circumstances	Investigative Requirement/Action
(4) Candidate with prior SSBI completed more than 5 years ago, no updating investigation, and no break in employment.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(5) Candidate with prior SSBI completed more than 5 years ago, no updating investigation, and any break in employment.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(6) Candidate with BI completed within past 5 years.	SGI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(7) Candidate with LBI, MBI, NACI, or NAC.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(8) Candidate currently employed by another Federal agency in a special-sensitive position, holding a Top Secret security clearance, whose last investigation was completed 5 or more years ago.	SSBI-PR. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.

b. Critical-sensitive positions. The minimum investigative requirement for a contractor employee in a critical-sensitive position is a BI for access up to the Secret level, and an SSBI for access up to the Top Secret level. The following table provides additional requirements that may apply to these positions in given circumstances.

Case Circumstances	Investigative Requirement/Action
(1) Candidate with no prior investigation, requiring access at the Top Secret level.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.

Case Circumstances	Investigative Requirement/Action
(2) Candidate with no prior investigation, requiring access up to the Secret level.	BI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(3) Candidate with prior SSBI completed within past 5 years, no break in employment of 1 year or more, and requires access up to the Top Secret level.	No new or update investigation required. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(4) Candidate with prior BI completed within past 5 years, no break in employment of 1 year or more, and requires access up to the Top Secret level.	SGI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(5) Candidate with prior SSBI or BI completed within past 5 years, no break in employment of 1 year or more, and requires access up to the Secret level.	No new or update investigation required. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(6) Candidate with prior SSBI completed within past 5 years, but break in employment of more than 1 year, and requires access at the Top Secret level.	SDI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(7) Candidate with prior BI completed within past 5 years, but break in employment of more than 1 year, and requires access at the Top Secret level.	SGI. The investigation must be completed prior to commencement of work, unless a determination is made pursuant to paragraph 505. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(8) Candidate with SSBI or BI completed within past 5 years, but break in employment of more than 1 year, and requires access at the Secret level.	SDI or BDI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(9) Candidate with prior SSBI completed more than 5 years ago, no updating investigation, no break in employment, and requires access at the Top Secret level.	SSBI-PR. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.

Case Circumstances	Investigative Requirement/Action
(10) Candidate with prior BI completed more than 5 years ago, no updating investigation, no break in employment, and requires access at the Top Secret level.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(11) Candidate with prior SSBI or BI completed more than 5 years ago, no updating investigation, no break in employment, and requires access up to the Secret level.	PRI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(12) Candidate with prior investigation of any type completed more than 5 years ago, no updating investigation, any break in employment, and requires access at the Top Secret level.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(13) Candidate with prior investigation of any type completed more than 5 years ago, no updating investigation, any break in employment, and requires access up to the Secret level.	BI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(14) Candidate with LBI completed within past 5 years and requires access at the Top Secret level.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(15) Candidate with LBI completed within past 5 years requiring access up to the Secret level.	BGI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(16) Candidate with MBI, NACI, or NAC requiring access at the Top Secret level.	SSBI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(17) Candidate with MBI, NACI, or NAC, requiring access up to the Secret level.	BI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.

Case Circumstances	Investigative Requirement/Action
(18) Candidate currently employed by another Federal agency in a special-sensitive position, holding a Top Secret security clearance, whose last investigation was completed or more years ago, and requires access at the Top Secret level.	SSBI-PR. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(19) Candidate currently employed by another Federal agency in a critical- or special-sensitive position, holding a Secret or Top Secret security clearance, whose last investigation was completed 5 or more years ago and requires access at the Secret level.	PRI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.

c. Noncritical-sensitive positions. The minimum investigative requirement for a contractor employee in a noncritical-sensitive position is an NACLC. If the position requires access up to the Secret level, then the minimum investigative requirement is a BI. The following table provides additional requirements that may apply to these positions in given circumstances.

Case Circumstances	Investigative Requirement/Action
(1) Candidate with no prior investigation, requiring no access to classified.	NACLC. The investigation must be completed prior to commencement of work.
(2) Candidate with no prior investigation, requiring access up to the Secret level.	BI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(3) Candidate with prior SSBI or BI completed within past 5 years, no break in employment of 1 year or more, and no access to classified is required.	No new or update investigation required.
(4) Candidate with prior SSBI or BI completed within past 5 years, no break in employment of 1 year or more, and access up to the Secret level is required.	BI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.

Case Circumstances	Investigative Requirement/Action
(5) Candidate with SSBI or BI completed within past 5 years, but break in employment of more than 1 year, and no access to classified is required.	NACLC. The investigation must be completed prior to commencement of work.
(6) Candidate with SSBI or BI completed within past 5 years, but break in employment of more than 1 year, and requires access up to the Secret level.	SDI or BDI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(7) Candidate with prior SSBI or BI completed more than 5 years ago, no updating investigation, no break in employment, and no access to classified required.	NACLC. The investigation must be completed prior to commencement of work.
(8) Candidate with prior SSBI or BI completed more than 5 years ago, no updating investigation, no break in employment, and access up to the Secret level is required.	NACLC. The investigation must be completed prior to commencement of work.
(9) Candidate with prior investigation of any type completed more than 5 years ago, no updating investigation, any break in employment, and no access to classified is required.	NACLC. The investigation must be completed prior to commencement of work.
(10) Candidate with prior investigation of any type completed more than 5 years ago, no updating investigation, any break in employment, and access up to the Secret level is required.	BI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(11) Candidate with LBI completed within past 5 years requiring no access to classified.	NACLC. The investigation must be completed prior to commencement of work.
(12) Candidate with LBI completed within past 5 years requiring access up to the Secret level.	BI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.
(13) Candidate with MBI, NACI, or NAC, requiring no access to classified.	NACLC. The investigation must be completed prior to commencement of work.

Case Circumstances	Investigative Requirement/Action
(14) Candidate with MBI, NACI, or NAC, requiring access up to the Secret level.	BI. The investigation must be completed prior to commencement of work. No access to classified until notification from DOD that security clearance has been granted, employee is briefed, and signs SF-312.

405. INVESTIGATIVE REQUIREMENTS FOR AIS ACCESS. The level of access and the position risk or sensitivity level dictate the investigative requirements for positions having access to AIS. The SSE will determine these factors and refer to the appropriate corresponding paragraphs in Order 1600.1D and this chapter to determine the appropriate level of security screening.

406. USING AND OBTAINING PREVIOUS INVESTIGATIONS. As indicated in paragraph 402, some contractor employees may have already been investigated by another Federal agency. These investigations will be used whenever practicable to reduce the number of investigation requests, associated costs, and delays. OPM maintains an electronic database, the Security Investigations Index (SII), of all investigations they conduct and investigations conducted by certain other agencies. DSS maintains a database, Defense Clearance and Investigations Index (DCII), of all investigations conducted on military personnel, DOD civilian employees, and DOD contractor personnel. An investigation conducted by a state or local government agency may provide useful information, but does *not* meet the investigative requirements stipulated in Order 1600.1D, appendix 9, paragraph 8, or paragraph 402 of this order, regardless of how extensive it is. The FBI also enters data regarding background investigations they conduct on individuals into an automated database. Other Federal agencies may have the delegated authority to conduct their own background investigations pursuant to E.O. 10450, Security Requirements for Government Employment.

a. Be alert to any information indicating that a contractor employee may have had a previous investigation when reviewing investigative forms; pay particular attention to questions 11, 16, and 18 on the SF-85P. Such information may include:

- (1) Recent Federal employment.
- (2) Military service, including service with the National Guard or reserves.
- (3) Employment with a Government contractor where the person might have held a security clearance.
- (4) A claim by the person that he or she has had a previous investigation and/or a security clearance.

b. Obtain any previous investigation that is readily available for review prior to authorizing a contractor employee to begin work, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8.

c. Obtain as much information as possible about any previous investigation that is not readily available before authorizing the contractor employee to begin work, unless a determination is made pursuant to Order 1600.1D, appendix 9, paragraph 8. To obtain this information, contact:

(1) The Security Office of the agency for which the investigation was conducted.

(2) The agency that conducted the investigation.

(a) Contact OPM, Federal Investigations Processing Center (FIPC), Boyers, Pennsylvania, telephonically on (724)794-5228 or in writing by completing Office of Federal Investigations (OFI) Form 79B, Request for Search of OPM Records, and request an SII search to determine and/or verify that a previous investigation exists and request a copy of the investigation. (Refer to appendix 2 for a sample of OFI Form 79B.)

(b) Contact your local DSS office or request a check of the DCII. To request a DCII check and a copy of any existing investigation, prepare and send a letter to DSS (refer to the sample letter provided in appendix 2). DSS will conduct the check and send the results to ACO-300 along with a copy of any report of investigation on file. ACO-300 will then forward the information and/or report(s) to the requesting SSE.

(c) The Defense Industrial Security Clearance Office (DISCO), a division within DSS, grants security clearances to all Federal contractor employees. SSE's may conduct name checks and obtain investigation and security clearance information by contacting DISCO in Columbus, Ohio, telephonically on (614)692-2265. However, this information is also available through the DCII, and copies of investigations are requested through DCII.

(d) To request a check of the FBI's investigations index and a copy of any report of investigation the FBI might have, complete Form DOT 1600-14, FBI Record Check Request (refer to appendix 2 for a sample).

(e) Information concerning investigations conducted by other agencies with delegated authority may be available through the SII. Contact the security office of the agency for a check of its files and obtain a copy of any report that the agency might have. Other Federal agencies with delegated authority for conducting investigations include the Department of State, Central Intelligence Agency, Peace Corps, U.S. Secret Service, Internal Revenue Service, U.S. Customs Service, and U.S. Postal Service. If the agency will not release a copy of an investigation but will permit review of the investigation at an office in the Washington, D.C., area, ACO-300 will assist the SSE by reviewing the report, documenting the results, and providing the information to the SSE.

407. PERIODIC REINVESTIGATION REQUIREMENTS. Periodic reinvestigation requirements for contractor employees are:

a. Contractor employees with security clearances. These investigations are monitored, controlled, conducted, and adjudicated by DSS.

(1) An SSBI-PR must be conducted on contractor employees in special-sensitive positions, holding a Top Secret clearance within 5 years from the date of the last SSBI, SGI, SDI, or SSBI-PR.

(2) A PRI must be conducted on contractor employees in critical-sensitive positions, within 5 years from the date of the last BI, BGI, BDI, or PRI.

(3) An NAC with Law Enforcement and Credit Checks (NACLC) must be conducted on contractor employees in noncritical-sensitive positions, holding a Secret clearance, within 10 years from the date of the last investigation or reinvestigation.

b. Contractor employees who do *not* hold security clearances. A PRI must be conducted on contractor employees in high-risk positions within 5 years from the date of the last BI, BGI, BDI, or PRI. The SSE will review the contractor security file as part of the PRI.

408. FOREIGN NATIONALS AND IMMIGRANT ALIENS. Foreign nationals and immigrant aliens may work or provide services under FAA contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's providing there is a compelling need for their services and/or skills and an appropriate background investigation can be conducted.

a. Unclassified Contracts. Once a determination has been made that use of a foreign national and/or immigrant alien under an *unclassified* FAA contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA is in the best interest of the FAA because the foreign national and/or immigrant alien possesses an expertise unobtainable elsewhere, the following actions must be completed.

(1) The operating office, and CO/COTR, LMS, or RECO, in consultation with the SSE, must determine the risk level of the position in accordance with chapter 3 of this order and record the designation on FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record.

(2) The completed FAA Form 1600-77 must be submitted to the SSE for approval, accompanied by the following investigative forms completed and submitted within 10 days of contract award date by the desired foreign national(s) and/or immigrant alien(s):

(a) One Standard Form (SF) 85P, Questionnaire for Public Trust Positions.

(b) One FD-258, FBI Fingerprint Chart.

(c) Any other forms and/or information as required to conduct the appropriate security screening.

(3) The SSE will:

(a) Review FAA Form(s) 1600-77 and approve as appropriate.

(b) Submit the completed investigative forms to OPM to initiate the required security screenings and request the necessary overseas coverage.

(c) Adjudicate the completed investigation and make a final suitability determination.

(d) Notify the CO/COTR, LMS, or RECO of the final suitability determination in writing.

b. Classified Contracts. Once a determination has been made that use of a foreign national and/or immigrant alien under an FAA contract, including, but limited to, purchase order, consulting agreement, lease agreement, or MOA is in the best interest of the FAA and that access to classified information, operations, facilities, and/or other activities is required in order for the foreign national and/or immigrant alien to perform under said contract, the following requirements must be met:

(1) The operating office and CO/COTR, LMS, or RECO, in consultation with the SSE, must determine the sensitivity level of the position in accordance with chapter 3 of this order and record the designation on FAA Form 1600-77. The FAA Form 1600-77 must include:

(a) a description of the unique quality, skill, and/or characteristic the proposed foreign national and/or immigrant alien contractor employee(s) possess(es) that is unobtainable elsewhere. This information must appear in block IV, Final Adjustment Factor(s).

(b) an explanation that if the services of the foreign national and/or immigrant alien are not obtained and the work cannot proceed, the mission will be seriously impaired to the extent that national security interests will be affected. This statement must also appear in block IV, Final Adjustment Factor(s), or on a separate sheet of paper submitted with the FAA Form 1600-77.

(2) The completed FAA Form 1600-77 must be submitted to the SSE for review and approval.

(3) The **contractor** is responsible for obtaining the required investigative forms from each proposed foreign national and/or immigrant alien contractor employee and submitting them to DSS.

(4) DSS must be able to conduct the appropriate level background investigation which includes all necessary overseas coverage.

(a) If the appropriate level background investigation and/or the necessary overseas coverage cannot be done/obtained, the proposed foreign national and/or immigrant alien contractor employee(s) cannot work under the contract.

(b) If the appropriate level background investigation and necessary overseas coverage can be done/obtained, DSS will notify the contractor of the final suitability determination and level of security clearance granted to the proposed foreign national and/or immigrant alien contractor employee(s).

d. Visit Requests for Foreign Nationals and Immigrant Aliens Cleared by Other Agencies. When an FAA office will host a visit of foreign nationals and/or immigrant aliens who have been granted security clearances or other access authorizations by other U.S. government agencies, the contracting office will complete, certify, and process a visit request as specified in the NISPOM or other DOD regulation. The contracting office must provide a copy of the certified visit request to the SSE for the facility to be visited.

409. INITIATING INVESTIGATIONS. The contracting office has the primary responsibility for ensuring that the completed forms required for initiation of background investigations on all contractor employees are submitted to the SSE within the time frame prescribed by Order 1600.1D, appendix 9, paragraph 6, and/or as specified in the applicable security clauses.

a. Due to their sensitive nature and Privacy Act considerations, the investigative forms should be submitted by the contractor ***directly to the SSE*** in a sealed envelope accompanied by a list of all prospective contractor employees. The contractor should also provide simultaneous notification of the submission to the CO/COTR, RECO, or LMS.

(1) Where this cannot be done, the contractor must provide the required forms directly to the CO/COTR, LMS, or RECO in a sealed envelope and the CO/COTR, LMS, or RECO must then forward the forms in the sealed envelope to the SSE along with the items listed under (2) below.

(2) The CO/COTR, LMS, or RECO will forward the following to the SSE:

(a) Completed FAA Form 1600-77 for each position or group of positions.

- (b) Name of the company.
 - (c) Contract number, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA.
 - (d) Duty location for each position or group of positions.
 - (e) Funding line of business (LOB).
 - (f) Appropriation or accounting code.
 - (g) Name of the responsible COTR, LMS, or RECO.
- (3) The contractor must provide the SSE a list of all proposed contractor employees by name and social security number.
- b. Upon receipt, review each investigative form for completeness.
- (1) If additional information is required, all attempts should be made to contact the affected contractor employee directly.
 - (2) If the employee cannot be contacted directly or cannot be reached, contact the CO/COTR, RECO, or LMS for assistance. The specific information required should not be discussed with the CO/COTR, RECO, or LMS without approval of the contractor employee; therefore, the CO/COTR, RECO, or LMS should have the contractor employee contact you.
- c. Complete the "Agency Use Block" items A through P on the *top portion* of each SF-85P submitted for initiation of an investigation.
- (1) Item A, "Type of Investigation:" Enter the appropriate three-character code for the type of investigation required (refer to the current Federal Investigations Notice for the current OPM expedite and discontinue codes and case billing rates.)
 - (2) Item B, "Extra Coverage:" Enter the appropriate number when requesting extra coverage or when attaching additional items.
 - (3) Item C, "Sensitivity/Risk Level:" Transfer the sensitivity or risk level designation from the corresponding FAA Form 1600-77.
 - (4) Item D, "Compu/ADP:" Enter the letter "C" if the position is a computer position; if not *leave blank*.
 - (5) Item E, "Nature of Action Code:" Enter "CON" to indicate this is a contractor position.

(6) Item F, "Date of Action:" *Leave blank* if the contractor has **not** begun work under the contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA. If the contractor employee has begun work, enter the date authorized.

(7) Item G, "Geographic Location:" *Leave blank.*

(8) Item H, "Position Code:" *Leave blank.*

(9) Item I, "Position Title:" Enter "CON" to indicate this is a contractor position.

(10) Item J, "SON:" Enter the 4-digit submitting office number.

(11) Item K, "Location of Official Personnel Folder (OPF):" Check the "None" block.

(12) Item L, "SOI:" Enter the 4-digit security office identifier.

(13) Item M, "Location of Security Folder:" Normally, check the "NPI" block. However, if there is a security file that has been created at FAA for the contractor employee, check the "SOI" block. If there is no security file or there is no pertinent information in the security file, check the "NPI" block.

(14) Item N, "OPAC-ALC Number:" Enter the required number or code.

(15) Item O, "Accounting Data and/or Agency Case Number:" Enter the appropriation or accounting code provided by the COTR, RECO, or LMS, and the cost of the investigation (refer to the current Federal Investigations Notice for the current OPM expedite and discontinue case billing rates).

(16) Item P, "Requesting Official:" Enter the name, title, and telephone number of the authorizing official. The SSE or his or her supervisor should then sign the form. **Do not** date the form until ready to send it to OPM.

d. When requesting an NACI for fiduciary positions, the SSE may:

(1) Request the extra coverage credit check from OPM. The cost of \$10 must have been budgeted for.

(2) Conduct the credit check, in house, where available.

e. Make a copy of **all** documents to be forwarded to OPM and retain for your files. Ensure both sides of each page of double-sided documents like the SF-85P have been copied.

f. Clip or staple together the forms for each contractor employee separately, place them in an opaque envelope, address the envelope to OPM, FIPC, Boyers, Pennsylvania, 16018, and forward to OPM. In some cases, the forms can be faxed to OPM in order to expedite processing. Contact OPM prior to using this method of transmission.

410. DISPOSITION OF INCOMPLETE INVESTIGATIONS. An investigation received from OPM that is substantially complete, even if not entirely complete, may be adjudicated for suitability if the SSE determines that the outstanding portion is *not* likely to help resolve any issues or impact final adjudication. If the outstanding portion *is likely* to resolve any issues or *may* impact a final suitability determination, contact OPM to advise them of the missing items. In these cases, *do not* make a final suitability determination until receipt and adjudication of the outstanding items.

411-499. RESERVED.

CHAPTER 5. SUITABILITY DETERMINATIONS

500. GENERAL. Suitability determinations are made through a three-level process of adjudication consisting of:

a. Basic suitability adjudication. This is the first level of suitability adjudication and is an assessment of conduct as it affects a person's suitability to work or provide services under any FAA contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA.

b. Position risk adjudication. The next step in the adjudication process applies to persons rated suitable at the basic suitability level who are being considered for work or to provide services in specific positions. It is an assessment of a person's conduct as it affects his or her suitability in terms of the risk or sensitivity level of a specific position. In this step, issues must be viewed more seriously when the position is at a higher risk or sensitivity level in order to reflect the greater potential for adverse impact on the efficiency of the service.

c. Position Performance Adjudication. This is the final step in the adjudication process and it applies to persons who have been rated suitable at the first two levels. This is an assessment of conduct in terms of its *nexus* or indicated potential impact on the person's performance in a specific position, including any indicated risk for abuse of the public trust in carrying out specific duties.

501. SUITABILITY GUIDELINES. The SSE will apply the suitability standard and criteria stated in Order 1600.1D, chapter 4, and the processes outlined in this chapter when making all suitability determinations. The following subparagraphs provide a definition and/or an explanation of those and additional criteria where necessary, examples of each criterion, how to apply each criterion when adjudicating, and potentially mitigating factors.

a. Misconduct or Negligence in Prior Employment.

(1) Definition. Behavior that would have a bearing on efficient service in the position in question or would interfere with, or prevent, effective accomplishment of an agency's mission.

(2) Examples of issues.

(a) Violation of agency rules and regulations.

(b) Employee fraud, negligence, embezzlement.

(c) Employee theft.

(3) General application.

(a) The misconduct or negligence in prior employment may or may not have resulted in disciplinary action or dismissal from that employment.

(b) If dismissal resulted, primary emphasis should be placed on the act or conduct that prompted the dismissal rather than on the mere fact that the person was dismissed. The emphasis of the adjudication must be on the act or conduct, *not* the disciplinary action. Some employers will lay off or offer resignation options to an employee who was negligent or committed misconduct rather than remove the employee by direct dismissal. The adjudicator must focus on a pattern of employment conduct that is incompatible with successful job performance.

(4) Mitigating conditions.

(a) Amount of time that has transpired since the incident(s) in question.

(b) Age of the applicant at the time of the incident(s) in question.

(c) Evidence that the individual has been rehabilitated.

(d) Favorable performance reviews.

(e) Favorable testimony from supervisors.

(f) The misconduct was the result of pressure, coercion, and/or personality conflict, those pressures and/or conditions are no longer present in the person's life, and are not likely to recur.

b. Criminal or Dishonest Conduct.

(1) Examples of criminal conduct.

(a) Theft.

(b) Prostitution.

(c) Burglary.

(d) Murder.

(e) Sexual assault.

(f) Rape.

(g) Assault and battery.

(h) Indecent exposure.

- (i) Child molestation.
- (j) Falsification of documents.

(2) Examples of dishonest conduct (some of these examples may also be criminal conduct).

- (a) Willful disregard of financial obligations.
- (b) Embezzlement.
- (c) Check fraud.
- (d) Income tax evasion.
- (e) Filing deceptive loan applications.
- (f) Benefit fraud.
- (g) Offer or acceptance of a bribe.

(3) General application. There must be a nexus between this conduct and the duties of the position to which applied.

- (a) This conduct may or may not have resulted in arrest.

(b) The primary concern with criminal conduct is the nature of the conduct, evidence of rehabilitation, and the effect such conduct may have on the efficiency of the service. The facts and circumstances of the behavior should be considered in all decisions, even where the record has been expunged or a pardon has been granted. Persons under indictment or formal criminal charges may not be considered for work or to provide services under any FAA contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA until disposition is made of the pending charges if the pending charges required referral.

(c) The primary concern with dishonest conduct is whether the act was a deliberate disregard for the rights of others for the benefit of the individual committing the act or other persons,

(4) Mitigating conditions.

- (a) The crime or dishonest conduct was an isolated incident.
- (b) The criminal or dishonest behavior was not recent.

(c) The person did not voluntarily commit the criminal or dishonest act and/or the factor(s) leading to the conduct is not likely to recur.

(d) The person was pressured or coerced into committing the criminal or dishonest act, those pressures and/or conditions are no longer present in the person's life, and are not likely to recur.

(e) Acquittal of the crime.

(f) There is clear evidence of successful rehabilitation.

c. Financial Irresponsibility.

(1) Examples of financial irresponsibility include.

(a) Judgments.

(b) Collection accounts.

(c) Delinquent credit card accounts.

(d) Non-payment of child support.

(2) General application. Determinations should not be made based solely on the dollar amount of indebtedness.

(3) Mitigating conditions.

(a) The individual has demonstrated intent to re-pay, satisfy, or resolve the indebtedness.

(b) The individual has consulted with a financial counseling service to consolidate and resolve the indebtedness.

(c) The indebtedness was the result of a catastrophic event, such as a death or serious illness in the family for which the individual was financially responsible.

(d) The indebtedness was the result of a clerical error on the part of the reporting credit bureau or creditor and the individual is able to provide proof of the error.

(e) The indebtedness was the result of alcohol and/or drug abuse, family pressures, and/or other factors that are no longer present in the person's life and are not likely to recur.

d. Intentional False Statement, Deception, or Fraud in Examination or Appointment.

(1) Explanation. Evidence that an applicant has been deceptive either by omission of information or by untruthful responses to questions asked on the application and/or investigative forms.

(2) Examples of issues include.

(a) Bogus claims of formal education and/or degrees or altering college transcripts to qualify for a position in which specific educational attainment is a requirement.

(b) Failure to admit criminal charges, arrests, and/or convictions;

(c) Failure to admit and/or misrepresenting financial delinquencies.

(d) Failure to admit and/or misrepresenting medical issues.

(e) Omission of employment problems and/or terminations.

(f) Failure to admit and/or misrepresenting alcohol and/or drug problems.

(g) Impersonation in examination.

(h) Collusion in examination.

(i) Assuming the identity of a person who has eligibility for a given Federal position.

(j) Altering the score on an OPM Notice of Rating.

(k) Altering the condition of discharge on military discharge documents.

(l) Falsifying an application or appointment document.

(3) General application. The false statement, deception, or fraud must be a material fact, one which, had it been known prior to appointment, would have substantially influenced the decision to select the person over other competitors or would have affected that person's relative position on a certificate of eligibles.

(4) Mitigating conditions.

(a) The falsification was an isolated incident, was not recent, and the individual subsequently provided the correct information *voluntarily*.

(b) The individual made prompt, good faith efforts to correct the falsification *before* being confronted with the facts.

(c) The omission of the material fact was caused or significantly contributed to by the inadequate advice of authorized personnel and the previously omitted information was promptly and fully provided.

(d) The person was pressured or coerced into committing the act, those pressures and/or conditions are no longer present in the person's life, and are not likely to recur.

e. Alcohol Abuse.

(1) Explanation. The abuse must be of a nature and duration that suggests that the person would be prevented from performing the duties of the position in question, or would constitute a direct threat to property or the safety of others.

(2) Examples of alcohol-related issues.

(a) Alcohol-related arrests and incidents away from work, such as Driving Under the Influence (DUI), Driving While Intoxicated (DWI), fighting, child or spousal abuse, or other criminal incidents *related to alcohol use*.

(b) Alcohol-related incidents at work, such as reporting for work or duty in an intoxicated or impaired condition, drinking on the job, or disciplinary problems and/or terminations from employment resulting from the use and/or abuse of alcohol.

(c) Alcohol-related counseling or treatment. Diagnosis by a credentialed medical professional of alcohol abuse or alcohol dependence.

(d) Habitual or binge consumption of alcohol to the point of impaired judgment.

(e) Consumption of alcohol, subsequent to a diagnosis of alcoholism by a credentialed medical professional and following completion of an alcohol rehabilitation program.

(3) General application.

(a) The adjudicator must obtain evidence that suggests the contractor employee may be prevented from performing the duties of the position in question or would constitute a direct threat to property or the safety of others.

(b) Current, continuing abuse would *ordinarily* be disqualifying. Abuse may manifest itself in poor employment records, debts, domestic difficulties, or convictions. A clear, lengthy break in a pattern of abuse and strong evidence that the

abuse will not occur again is required before the conduct can be considered non-disqualifying.

(4) Mitigating conditions.

- (a) The alcohol-related incidents do *not* indicate a *pattern*.
- (b) The problem occurred a number of years ago or outside the scope of the investigation and there is *no* indication of a *recent* problem.
- (c) Positive changes in behavior supportive of sobriety.
- (d) The alcohol abuse was the result of indebtedness, family pressures, and/or other factors that are no longer present in the person's life and are not likely to recur.

f. Illegal Use of Narcotics, Drugs, or Other Controlled Substances.

(1) Explanation. Improper or illegal involvement with drugs and/or controlled substances raises questions regarding an individual's willingness or ability to protect sensitive information. In addition, drug abuse or dependence may impair social or occupational functioning, interfering with the individual's ability to perform the duties of the position in question and rendering the individual a direct threat to property or the safety of others.

(2) Examples of issues include.

- (a) Drug-related arrests and incidents.
- (b) Admission of use.
- (c) Disciplinary problems and/or terminations related to drug activity.
- (d) Drug-related counseling and/or treatment.
- (e) Failing a drug-screening test.
- (f) Illegal drug possession, including cultivation, processing, manufacture, purchase, sale or distribution.
- (g) Failure to successfully complete a drug treatment program prescribed by a credentialed medical professional.
- (h) Recent drug use and/or an expressed intent not to discontinue the use/abuse.

(3) General application.

(a) The adjudicator must obtain evidence that a contractor employee has had illegal involvement with narcotics, prescription drugs, or other controlled substances without documentation of substantial rehabilitation.

(b) Current or recent use or possession would *ordinarily* be disqualifying. Any pattern is also disqualifying, unless there is a clear, lengthy break since the last occurrence.

(4) Mitigating conditions.

(a) The drug involvement was not recent.

(b) The drug involvement was an isolated incident or aberration or was the result of indebtedness, family pressures, and/or other factors and these factors and/or circumstances are no longer present in the person's life and are not likely to recur.

(c) The individual satisfactorily completed a prescribed drug treatment program, including rehabilitation and aftercare requirements, without recurrence of abuse, and a favorable prognosis by a credentialed medical professional.

(d) The individual demonstrated intent not to abuse any drugs or controlled substances in the future.

g. Questionable Loyalty.

(1) Explanation. Knowing and willful engagement in acts or activities designed to overthrow the U.S. Government by force. An individual must be unquestionably loyal to the U.S. The willingness to act in the best interest of the FAA and, in turn, the U.S. is in doubt if there is any reason to suspect an individual is disloyal.

(2) Examples or indicators of disloyalty (possible disqualifying conditions).

(a) Involvement in any act of sabotage, espionage, treason, terrorism, sedition or other act whose aim is to overthrow the U.S. Government and/or alter the form of government by force or violence or by other *unconstitutional* means.

(b) Association or sympathy with persons who are attempting to commit, or who are committing, any of the above acts.

(c) Association or sympathy with persons or organizations that advocate the overthrow of the U.S. Government or any state or subdivision by force or violence or by other unconstitutional means.

(d) Involvement in activities that unlawfully advocate or practice the commission of acts of force or violence to prevent others from exercising their rights under the constitution or laws of the United States or of any state.

(e) Establishing contact with any representative of a foreign government whose interests may be contrary to those of the U.S.

(f) Membership in an organization that advocates or commits criminal acts against the U.S. Government.

(g) Establishing contact with a seditionist, anarchist, or terrorist.

(3) Mitigating conditions.

(a) The person was unaware of the unlawful aims of the individual or organization with which he or she has established an association and severed ties upon learning of this.

(b) The person's involvement was only with lawful or humanitarian aspects of such an organization.

(c) Involvement in the above activities occurred for only a short period of time and was attributable to curiosity or academic interest.

(d) The person's involvement or association with such activities was not recent.

(4) General application: Traitorous acts are disqualifying. Any question concerning an applicant's loyalty to the United States is a serious suitability issue that will likely be disqualifying.

(a) Knowing membership in, with specific intent to further the aims of, an organization that unlawfully practices acts of force or violence to prevent others from exercising their rights under the Constitution or law, or which seeks to overthrow the U.S. Government by unlawful or unconstitutional means is disqualifying.

(b) The adjudicator must establish one or more of the following:

1. The person is a member of the organization.
2. The aims of the organization were/are illegal.
3. The person is aware of the illegal aims of the organization.
4. The person has done something to further the illegal aims of the organization.

h. Statutory/Regulatory Debarment.

(1) Explanation. Any statutory or regulatory bar that prevents the lawful employment of the person involved in the position in question. This criterion applies to Federal employment, but is a concern when making a suitability determination on a contractor employee.

(2) Examples of statutory and regulatory debarment.

(a) Participation in a strike against the U.S. Government. (Legal Authority - 5 U.S.C. 7311; 18 U.S.C. 1918.)

(b) Willful and unlawful concealment, removal, mutilation, or destruction of public records and materials. (Legal Authority - 18 U.S.C. 2071 (b).)

(c) Knowing and willful failure to register under Section 3 of the Military Selective Service Act (50 U.S.C. App. 453). (Legal Authority - 5 U.S.C. 3328.)

(d) Individuals who have been convicted of a misdemeanor crime of domestic violence are prohibited by statute from possessing any firearm or ammunition. This provision applies to persons convicted at any time prior to or after the passage of the September 30th, 1996, amendment. There is no exception for law enforcement officers/agents. (Legal Authority - 18 U.S.C. 922 (g)(9).)

(3) Mitigating conditions. There are no mitigating factors or conditions to statutory or regulatory debarment.

(4) General application. Statutory disqualifications are used in specific situations when an individual has committed certain acts defined by the statute as disqualifying for Federal employment. This criterion should be considered in conjunction with the other criteria.

502. GENERAL ADJUDICATION PROCESS.

a. The SSE or adjudicator must consider *all* available, reliable information about the person in question. Past and present, favorable and unfavorable information should be considered in reaching a determination. There must be a *nexus* between the behavior, conduct, and/or incident, and the duties of the position in question.

b. The following factors should be considered when making suitability determinations, where pertinent to the individual case:

(1) Kind of position applied for, including degree of public trust or risk in the position.

(2) Nature and seriousness of the conduct.

- (3) Circumstances surrounding the conduct.
- (4) Recency of the conduct.
- (5) Age of the person at the time of the conduct.
- (6) Contributing societal conditions.
- (7) Absence or presence of efforts toward rehabilitation.
- (8) A combination and/or pattern of issues.

c. Other factors affecting suitability determinations.

(1) The SSE or adjudicator should also examine actions taken by a contractor employee *subsequent* to issues in question. Consider whether the person:

- (a) Voluntarily reported the information.
- (b) Was truthful and complete in responding to questions or inquiries.
- (c) Sought assistance and followed professional guidance, where appropriate.
- (d) Has demonstrated positive changes in behavior and employment.

(2) Background investigations will sometimes include information provided by source(s) who request confidentiality under the Privacy Act. This is known as protected source information. It is not permissible to use this information in the resolution of derogatory information because of the risk of identifying the source. However, the same information may be used to resolve derogatory information if it is provided by an open source (one who has not requested confidentiality under the Privacy Act).

(3) Classified information may appear in background investigations and may contain derogatory information requiring resolution. Consult with your supervisor as to the appropriate handling and use of this information in the adjudicative process.

(4) All males 18 years or older, including legal permanent residents, must provide documentation that they have registered with the Selective Service or that they have met their obligation under the law. This documentation can include:

- (a) The affected contractor employee's Selective Service number.
- (b) A copy of the affected contractor employee's completed Selective Service application.

(c) For persons 26 years of age or older who did not register, a copy of a completed Status Information Letter provided by the Selective Service.

d. When derogatory information is identified and weighed against the above factors, the SSE should determine whether the issue(s) is/are actionable or non-actionable.

(1) Actionable. An issue for which resolution requires contact with the person in question, either orally or in writing, in order to make a favorable suitability determination.

(2) Non-actionable. An issue that has been previously favorably adjudicated, is minor in seriousness, has no nexus with the position applied for, or is well outside of the scope of the investigation; one that has been negated to the point that it would have no bearing on the applicant's suitability for employment. Any issue deemed actionable must be clearly and favorably adjudicated; it is not sufficient to resolve derogatory information by merely indicating that the person exhibits acceptable job performance.

e. Issue resolution. While the examination and evaluation of the seriousness of issues for contractor personnel mirrors that of Federal employees, the means by which these issues are resolved and the extent to which contractors are afforded due process is more limited. For example, contractor personnel have no appeal rights. The FAA has full control over granting, denying, withholding, and terminating unescorted access to FAA facilities and/or sensitive information to contractor employees based on the results of a background investigation. Issues may be resolved in one of four ways, or a combination thereof:

(1) Telephonic. Conduct telephonic interviews, as necessary. This method of issue resolution should be used to resolve relatively minor but actionable issues.

(2) Written inquiry. This method of issue resolution should be used to resolve issues of a serious nature that would likely result in denial of suitability when other attempts to contact the affected contractor employee have failed. The objective of the letter of inquiry is to obtain information and written documentation from the affected contractor employee to be used in the adjudicative process and resolve the issue(s).

(3) Personal subject interview. This method of issue resolution should be used to resolve issues of a serious nature that would likely result in denial of suitability when immediate resolution of the issue(s) is desired.

(4) Additional SSE investigation. The SSE may need to conduct additional investigative work to resolve issues that meet the criteria specified in Order 1600.1D, chapter 3, paragraph 304, *before* making a suitability determination.

(5) Additional OPM investigation. The SSE may need to request that OPM re-open an investigation in order to resolve issues identified in the OPM investigation that were not resolved or followed up on by OPM.

f. The final step in the adjudication process involves an assessment of conduct in terms of its present or potential impact on the person's ability to occupy a specific position, including any indicated risk for abuse of trust in the position and/or any potential for damage to the FAA's mission.

503. ISSUE RESOLUTION. The following paragraphs provide additional information on how to resolve specific issues that may arise during the adjudication process.

a. Misconduct or negligence in prior employment. Resolution of issues under this category must be obtained and properly documented. Interim and final suitability determinations may not be made if there is *documented evidence* of serious misconduct in employment within the last two years or *explanations* of serious misconduct within the last two years are disputed and cannot be verified by the employer.

b. Criminal conduct. Resolution of criminal conduct issues must be documented with evidence that sufficiently defines the circumstances surrounding the conduct and/or incident and the disposition of the issues. A statement from the affected contractor employee that he or she was never actually charged or arrested for the act, was acquitted, or that the charges were dismissed or the incident(s) in question never occurred is not sufficient to resolve this issue. Documentary proof in the form of court records that identify the act(s), charges, indictment, and/or final legal disposition is necessary.

c. Financial irresponsibility. Determinations should not be made based solely on the dollar amount of indebtedness. Documentary that legitimate debts are paid or are being paid is necessary to resolve these issues.

(1) Proof must be in the form of a copy of a canceled check (front *and* back), money order, receipt, or statement of account showing current payment and balance.

(2) If payments are *not* being made, acceptable arrangements must be made with the creditor(s). Documentation from creditor(s) accepting payment arrangements must be provided.

(3) If debts were discharged through bankruptcy, the affected contractor employee must provide documentation from the bankruptcy court as proof of discharge.

d. Intentional false statement, deception, or fraud in examination or appointment. Resolution of these issues must include documentary evidence that clearly eliminates falsification concerns. Intent is difficult to prove. At a minimum, obtain a statement from the affected contractor employee explaining the incident(s) in question and the circumstances surrounding the incident, including whether or not the act or incident in question was intentional.

e. Alcohol abuse. Resolution of these issues must include:

(1) Documentary evidence from a certified alcohol rehabilitation counselor or a medical practitioner that the affected contractor employee has successfully completed alcohol-related treatment and/or counseling combined with a sustained period of rehabilitative success.

(2) In instances of alcohol-related arrests and/or employment problems within the past seven years, details of the circumstances surrounding the instances and the disposition of incidents must be provided.

(3) A favorable interim or final suitability determination cannot be made if there is an alcohol-related incident with no evidence of successful treatment and/or rehabilitation. Alcohol-related incidents or arrests in the last six months or a history and/or pattern of alcohol-related incidents and no evidence of successful treatment and/or rehabilitation are grounds for denial of suitability.

f. Illegal use of narcotics, drugs, or other controlled substances. Resolution of these issues must include:

(1) Documentary evidence from a certified drug rehabilitation counselor or a medical practitioner that the affected contractor employee has successfully completed drug-related treatment and/or counseling with a sustained period of rehabilitative success.

(2) In instances of drug-related arrests and/or employment problems within the past seven years, details of the circumstances surrounding the incident(s) and the disposition must be provided.

(3) A favorable interim or final suitability determination *may not* be made if there is a drug-related incident with no evidence of successful treatment and/or rehabilitation. Drug-related incidents or arrests in the last six months or a history and/or pattern of drug-related incidents and no evidence of successful treatment and/or rehabilitation are grounds for denial of suitability.

g. Questionable loyalty. A favorable interim or final suitability determination *may not* be made if there is any evidence of issues pertaining to a person's loyalty to the United States. The SSE or adjudicator should consult with ACO-300 immediately upon identification of a loyalty issue.

h. Statutory or regulatory debarment. There is no resolution of statutory or regulatory debarment other than to obtain documentary proof that one exists.

504. DUE PROCESS. Before making an unfavorable suitability determination, the SSE must afford the affected contractor employee an opportunity to refute, explain, or mitigate any derogatory information.

a. Conduct a telephonic interview of the affected contractor employee to resolve minor actionable issues.

(1) After explaining your reason for calling, attempt to verify that the person is the contractor employee in question. This can be done by asking the person to provide his or her social security number, mother's maiden name, identification of a neighbor, or any other personal information contained on the contractor employee's SF-85P. Once you have established that the person is the contractor employee in question, ask the person if he or she is at a location where he or she can speak freely; in many instances, the person may need to find a more private location away from distractions or co-workers. Every effort should be made to protect the privacy of the affected contractor employee.

(2) Listen. Allow the person enough time to respond thoroughly. Do not interrupt the person, unless necessary. Once the person has finished, ask any remaining questions.

(3) Accurately record the person's responses.

(4) Should the person refuse to answer questions telephonically or if the questioning becomes confrontational, terminate the call by stating that the person will receive a letter of inquiry through the mail.

(5) Upon completion of a telephonic interview, prepare a memorandum summarizing the information discussed (refer to appendix 2 for a sample summary memorandum), such as:

(a) What documents need to be submitted or what documents were provided?

(b) All pertinent information obtained during the interview.

(6) File the memorandum in the affected contractor employee's investigative file.

b. Send the affected contractor employee a letter of inquiry to resolve all serious actionable issues.

(1) Prepare a letter to the affected contractor employee on your regional, center, or divisional letterhead and include a description of the issue(s) requiring resolution and the required response(s). (Refer to appendix 2 for a sample letter.)

(a) All written inquiries should be sent via certified mail with return receipt directly to the affected contractor employee and addressed, "TO BE OPENED BY ADDRESSEE ONLY."

(b) The questions contained within the letter of inquiry should pertain only to the issues disclosed during the investigative process.

(c) The last question of any letter of inquiry should be, "At this time, is there any additional information or comment you wish for the FAA to consider in making its final adjudicative determination?"

(d) The affected contractor employee should be allowed a minimum of 15 days, *after receipt*, to respond to a written inquiry. Extensions of up to 15 days total may be given to affected contractor employees to a written inquiry.

(2) Advise the operating office, CO/COTR, RECO, or LMS of any extensions afforded a contractor employee. On most contracts, the CO/COTR, RECO, or LMS can not afford to agree to multiple extensions because individuals are usually needed in a short period of time to perform the job/task(s) for which they are being considered.

(3) File a copy of the written inquiry in the affected contractor employee's investigative file.

(4) If a contractor employee does *not* respond to a written inquiry within the given time frame, the person should no longer be considered for the position. An unfavorable determination does *not* mean that the contractor must terminate the affected contractor employee, only that the affected contractor employee will not be allowed to work on or provide services under the FAA contract, including, but not limited to, purchase order, consulting agreement, lease agreement, or MOA.

(a) Prepare a memorandum advising the CO/COTR, RECO, or LMS that the person is no longer being considered. (Refer to appendix 2 for a sample memorandum.)

(b) The contractor, CO/COTR, RECO, or LMS can always request that the person be reconsidered if he or she later provides the requested information.

c. It is the responsibility of the affected contractor employee, *not* the SSE or adjudicator, to obtain and provide all requested information and/or documentation necessary to resolve identified issues.

505. SUITABILITY DETERMINATIONS. Interim suitability determinations can only be made after completion of the requirements stipulated in Order 1600.1D, paragraph 8. Final suitability determinations can only be made after all investigative work is completed and all issues are resolved in accordance with this chapter. Suitability determinations are either favorable or unfavorable. Since contractor security is not bound by the due process provisions of 5 CFR 731 and 5 CFR 315, contractor employees have no recourse after an unfavorable decision is made.

a. Interim suitability determinations procedures.

(1) High-risk positions. The SSE will:

- (a) Receive all required investigative forms.
- (b) Review all required investigative forms for completeness. Incomplete forms may be returned to the contractor employee for completion or the SSE may contact the contractor employee to obtain the missing information.
- (c) Obtain fingerprint check results and adjudicate as necessary.
- (d) Conduct a credit check.
- (e) Interview the contractor employee's current or most recent former employer.
- (f) Determine whether a previous investigation exists that meets the requirements of the position as specified in Order 1600.1D, chapter 6, and appendix 9, and chapter 4 of this order. Obtain a copy of the investigation, if available, or as much information as possible about it.
- (g) Identify any issues or matters requiring resolution.
- (h) Resolve all issues or matters as appropriate following the procedures outlined in paragraph 504.
- (i) Initiate the required investigation as appropriate.
- (j) Upon making a favorable interim suitability determination, notify the operating office and CO/COTR, RECO, or LMS, in writing, that the contractor employee may begin work. (Refer to appendix 2 for sample notification.)

(2) Special-sensitive positions.

- (a) Receive all required investigative forms.
- (b) Review all required investigative forms for completeness. Incomplete forms may be returned to the contractor employee for completion or the SSE may contact the contractor employee to obtain the missing information.
- (c) Obtain fingerprint check results and adjudicate as necessary.
- (d) Conduct a credit check.

(e) Interview the contractor employee's current or most recent former employer.

(f) Determine whether a previous investigation exists that meets the requirements of the position as specified in Order 1600.1D, chapter 6, and appendix 9, and chapter 4 of this order. Obtain a copy of the investigation, if available, or as much information as possible about it.

(g) Interview the contractor employee. The interview may be conducted telephonically when the candidate is not readily available in person. The interview should cover, at a minimum:

1. Past and present employment, education, and residences.
2. Arrests and convictions.
3. Use of alcohol and illegal drugs.
4. Mental health.
5. Financial responsibility.

(h) Identify any issues or matters requiring resolution.

(i) Resolve all issues or matters as appropriate following the procedures outlined in paragraph 504.

(j) Ensure DSS has initiated the required investigation.

(k) Upon making a favorable interim suitability determination, notify the operating office and CO/COTR, RECO, or LMS, in writing, that the contractor employee may begin work. (Refer to appendix 2 for sample notification.)

(3) Critical- and noncritical-sensitive positions.

(a) Receive all required investigative forms.

(b) Review all required investigative forms for completeness. Incomplete forms may be returned to the contractor employee for completion or the SSE may contact the contractor employee to obtain the missing information.

(c) Obtain fingerprint check results and adjudicate as necessary.

(d) Conduct a credit check.

(e) Interview the contractor employee's current or most recent former employer.

(f) Determine whether a previous investigation exists that meets the requirements of the position as specified in Order 1600.1D, chapter 6, and appendix 9, and chapter 4 of this order. Obtain a copy of the investigation, if available, or as much information as possible about it.

(g) Identify any issues or matters requiring resolution.

(h) Resolve all issues or matters as appropriate following the procedures outlined in paragraph 504.

(i) Ensure DSS has initiated the required investigation.

(j) Upon making a favorable interim suitability determination, notify the operating office and CO/COTR, RECO, or LMS, in writing, that the contractor employee may begin work. (Refer to appendix 2 for sample notification.)

(4) Moderate- and low-risk positions.

(a) Receive all required investigative forms.

(b) Review all required investigative forms for completeness. Incomplete forms may be returned to the contractor employee for completion or the SSE may contact the contractor employee to obtain the missing information.

(c) Identify any issues or matters requiring resolution.

(d) Resolve all issues or matters as appropriate following the procedures outlined in paragraph 504.

(e) Upon making a favorable interim suitability determination, notify the operating office and CO/COTR, RECO, or LMS, in writing, that the contractor employee may begin work. (Refer to appendix 2 for sample notification.)

(5). Positions exempt from investigative requirement. Upon making a determination that a contractor employee is exempt from the investigative requirements pursuant to paragraph 403i, notify the operating office and CO/COTR, RECO, or LMS, in writing, that the contractor employee is exempt and may begin work. (Refer to appendix 2 for sample notification.)

b. Final suitability determinations procedures.

(1) Receive completed report of investigation (ROI) from OPM or other agency if applicable.

(2) Ensure the investigative sufficiency of the ROI. If deficiencies are identified, contact OPM or the responsible investigating agency to ensure the deficiencies are corrected.

(3) Apply the adjudicative standard, criteria and guidelines stated in Order 1600.1D, chapter 4, and this chapter.

(4) Identify any issues or matters requiring resolution.

(5) Resolve all issues or matters as appropriate following the procedures outlined in paragraph 504. If additional investigative work is required to resolve an issue, initiate and complete the required action in accordance with Order 1600.20B, Civil Aviation Security Investigations Handbook, *before* making any suitability determination.

(6) Notify the operating office and CO/COTR, RECO, or LMS, in writing, of the final suitability determination. (Refer to appendix 2 for sample notification.)

(7) Report final adjudicative actions based on OPM reports of investigation or a file OPM furnishes in response to a check of its SII to OPM.

(a) OFI Form 79A, Report of Agency Adjudicative Action on OPM Personnel Investigations, accompanies all completed OPM reports of investigation and will be completed and returned to OPM whenever the instructions on the form say to do so.

(b) OPM uses OFI Form 79B, Request for Search of OPM Records, as well as certain other forms, some of which are printed electronically, to provide the results of an SII search and to request a report of final action taken. Whichever form OPM sends for this purpose will be completed and returned to OPM whenever the instructions on the form say to do so.

506-599. RESERVED.

CHAPTER 6. CREATING A CONTRACTOR PERSONNEL SECURITY FILE

600. CONTRACTOR PERSONNEL SECURITY RECORDS. A separate contractor personnel security file (PSF) and an automated investigations tracking system record must be established and maintained for each contractor employee who holds a security clearance and for contractor employees in other positions when there are reports of investigation (ROI's) or other contractor security materials warranting retention.

a. The PSF is used to house all investigative forms, documents, and investigative information relating to a contractor employee, and is maintained by the SSE. PSF's will contain, as applicable:

- (1) FAA Form 1600-77.
- (2) Notifications of interim and final suitability determinations.
- (3) Notifications of exemption from investigative requirements.
- (4) Copy of forms or memoranda documenting temporary or interim security clearances.
- (5) Visit requests.
- (6) A copy of OFI Form 79A, the CIN and OPM case closing transmittal, or other OPM form documenting final adjudicative action.
- (7) ROI's completed by OPM and/or other agencies. National Agency Check and Inquiries (NACI) reports containing only minor unfavorable information, or information so old as to be insignificant in any future suitability adjudication, as well as those NACI reports which contain no unfavorable information, may be destroyed. The SSE may maintain a summary of the minor unfavorable information or a note that the results contained no unfavorable information. Such notations may assist in future adjudications or in processing interim suitability determination requests when the NACI information is not immediately available from OPM.
- (8) SF-86, Questionnaire for National Security Positions, for contractor employees granted security clearances by DOD, if available.
- (9) SF-85P, Questionnaire for Public Trust Positions.
- (10) SF-85P-S, Supplemental Questionnaire for Selected Positions, when required.
- (11) ROI's completed by FAA.

(12) Copies of all pertinent correspondence, including that to or from OPM, other Government agencies, the operating office, CO/COTR, LMS, RECO, or contractor employee.

(13) A record of all disclosures or reviews of information contained in the PSF by persons outside the SSE.

b. An automated information database management system designed to maintain and monitor the status of personnel security actions on contractor employees should be developed and instituted.

(1) SSE's will enter into ITS information concerning contractor employees, including name, social security number, contract name, contract identification number, investigations initiated and completed, security clearance actions, and waivers of investigative requirements. SSE's are encouraged to enter the position risk/sensitivity level designations.

(2) All required information will be entered promptly and all personnel with responsibility for entering information will ensure that the data maintained in the system are complete, accurate, and current.

601-699. RESERVED.

CHAPTER 7, QUALITY ASSURANCE PLAN

700. INTRODUCTION. This chapter is a quality assurance planning tool for the conduct of reviews of offices with security and contractual authority, including servicing security elements, Office of Acquisitions (ASU), logistics offices, Airway Facilities Divisions, and real estate contracting offices to ensure compliance with Order 1600.1D, appendices 9, 10, and 13.

701. QUALITY ASSURANCE REVIEW STANDARDS.

a. Office of Civil Aviation Security Operations, Investigations Division (ACO-300), will conduct semi-annual and unscheduled quality assurance reviews as prescribed by Order 1600.1D, appendix 13, of all regional and center offices. All other SSE's will conduct semi-annual and unscheduled quality assurance reviews of the ASU, logistics office(s), Airway Facilities Division, real estate contracting office (RECO), and/or any other office responsible for awarding contracts, within their area of responsibility.

b. One person or a team consisting of two or more persons may conduct the quality assurance reviews. Team composition should consist of a team leader, generally filled by the senior security manager, and a representative from ASU, logistics, Airway Facilities Division, and/or the RECO.

c. Any oversight review of an office's or program's functions can create apprehension within the office under review. Reviewers can dispel this to some degree by assuring the office's staff that a review is meant to assist them, not simply to document deficiencies. The following are suggestions that may also aid in easing the tension and/or apprehension that is often associated with quality assurance reviews. As a professional, you may recognize these suggestions and may already be using them in your day-to-day functions.

(1) The reviewers may emphasize that they are peers and work in the same environment and encounter the same problems as those being reviewed. At the same time, be aware of the sensitivity of the mission and the need to provide an objective review.

(2) Keep in mind that the primary focus of any review is to:

- (a) Assess office effectiveness.
- (b) Determine compliance with applicable laws, regulations, and procedures.
- (c) Measure performance against established standards.
- (d) Provide a means to share local successes and solutions applicable

FAA-wide.

(3) If conducting interviews, always be prompt and notify the person to be interviewed if there is a change to the schedule.

(4) Don't discuss the review in public areas where conversations may be overheard. This includes discussions in hallways, elevators, restrooms, and restaurants.

(5) Don't guarantee confidentiality. The nature of certain findings may preclude confidentiality.

(6) Maintain a fair and impartial attitude towards all matters.

(7) Be professional and treat all persons with respect and dignity.

(8) Report any serious problems, questionable activities, and/or allegations of misconduct to the team leader, if applicable. The reviewer or team leader is responsible for reporting and discussing such matters with the appropriate individuals. If a reviewer has any question about whether to report such information, he or she should err on the conservative side and speak with the team leader or contact ACO-300 for guidance.

(9) All reviewers are expected to present a neat, professional appearance, and wear business attire during the review.

d. For scheduled reviews, the reviewer must notify the office to be reviewed at least 30 days prior to commencement of the review.

702. REVIEWER RESPONSIBILITIES.

a. Use of Order 1600.1D, appendix 13, and this chapter. A successful review requires careful planning, preparation, coordination, organization, and implementation. This chapter, appendix 4, and Order 1600.1D, appendix 13, are the reviewer's daily tools to conduct the review and should be strictly followed in order to provide criteria and steps for the best manner in which to assess the chosen areas. Alternative or additional steps may be conducted only after consultation with the team leader, if applicable, and ACO-300. Each reviewer should become familiar with the steps to be performed during a review. This will facilitate an efficient and effective review. It is recommended that the reviewer bring this order and Order 1600.1D when conducting reviews.

b. Preliminary phase.

(1) Review this chapter and become familiar with the applicable laws, policies, criteria, steps, and evidence necessary to perform the review.

(2) If conducting a scheduled review, notify the office to be reviewed and the responsible headquarters, regional, or center office, in writing, at least 30 days prior to commencement of the on-site review. (Refer to appendix 4 for sample notification memorandum.)

(3) Conduct preliminary steps identified in paragraph 704.

(4) Review any materials forwarded by the team leader, ACO-300, and/or other responsible office requested in conjunction with the review.

(5) Arrange an in-brief with the review site management.

c. On-site review.

(1) Conduct or attend the in-brief with the review site management at the initiation of the review. This briefing is to introduce the reviewer and/or team members to office management and to obtain an overview of the office, its personnel, and its priorities. It also allows management to inform the reviewer of their expectations of the review.

(2) Conduct the review steps identified in paragraph 705.

(3) Keep team leader and/or ACO-300 apprised of daily findings and progress, as applicable. Some reviews may require more than one or two days to complete.

(4) Prepare, on a daily basis, the review worksheets (appendix 4). Ensure the worksheets are accurate, complete, concise, and sufficiently documented. Submit completed worksheets to the team leader, if applicable, on a daily basis.

(5) Conduct daily briefings with the review site management to discuss progress and preliminary findings, as appropriate (these briefings may be done by the reviewer or team leader, if applicable).

(6) Prepare the findings and recommendations worksheets (appendix 4), as applicable. Ensure these worksheets are accurate, complete, concise, and sufficiently documented. Submit completed worksheets to the team leader, if applicable, on a daily basis.

(7) Collect all necessary supporting documentation.

(8) Conduct an exit briefing with the review site management and provide copies of all findings and recommendations worksheets (this briefing may be done by the reviewer or team leader, if applicable). Site management should be/have been briefed concerning all findings. Do *not* include any primary findings in the final report that site management have not been briefed on. There should be *no surprises* in the final report.

d. Review reports.

(1) The reviewer or team leader, if applicable, is responsible for writing the report based on the findings and recommendations worksheets. This report is the primary

official written record of a review. It is intended to provide senior management with concise, candid evaluations of policy and program effectiveness, and to inform them of conditions or situations that require attention or intervention. It is not intended to be a detailed review of every feature of the assessed entity. This report should stress major questions and shortcomings, as well as noteworthy contributions to program operations and the FAA. (Refer to appendix 4 for a sample review report format.)

(2) The reviewer or team leader is responsible for determining which findings to include in the report, to whom each recommendation should be addressed (by responsible office, not by individual name), and into which category findings and recommendations fall. The findings should be described in the context of established policy and sound management practices. Do *not* include any primary findings in the final report that site management have not been briefed on. There should be *no surprises* in the final report.

(3) A final report must be completed within 90 days of the conclusion of the on-site review and submitted to the review site senior management through the appropriate headquarters, regional, or center office.

703. REVIEW CRITERIA.

- a. Contracts are reviewed to ensure appropriate security clauses are included.
- b. Security screenings are conducted on contractor employees as required.
- c. Position risk/sensitivity levels entered into electronic databases match those identified on FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record.
- d. Procedures have been established for the review of investigative forms and are effective in ensuring completeness.
- e. Follow-up information is collected expeditiously and issues are resolved prior to approval of interim suitability determination requests.

704. PRELIMINARY PHASE.

- a. Contact the responsible headquarters, regional, or center office for the site to be reviewed and obtain:

(1) Copies of previous reviews conducted at the site.

(2) List of all contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's at the review site for/with contractor automated information system(s) (AIS), weapon carrying, fiduciary, air traffic control, communications, and AIS penetration testing positions for the past fiscal year.

(3) List of all other *unclassified* contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's at the review site with contractor security requirements.

(4) List of all *classified* contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's at the review site with contractor security requirements.

(5) List of all contractor employees at the review site, by name and position title.

b. Contact the head of the review site:

(1) Identify the servicing contracting office, logistics management division, and/or real estate contracting office.

(2) Identify the Personnel Security Officer responsible for implementing the Contractor and Industrial Security Program for or at the review site.

c. If the contracting officer, COTR, LMS, or RECO will/may not be available to talk to during the on-site review he/she should be contacted during this phase.

(1) Determine whether procedures are in place for appropriate escort of all contractor employees exempt from the investigative requirements.

(2) Document your findings on the review worksheet.

(3) Verify by observation during the on-site review.

d. Since the number of classified and unclassified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's with contractor security requirements will vary widely from region to region and center to center, ACO-300 will determine an appropriate, equitable number of these documents to be reviewed.

(1) Contact ACO-300, advise of the total number of these documents at the review site (from the list provided under paragraph 704a(2)-(4)), and obtain the number to be reviewed. The number will not be less than 25, unless the total number of classified and unclassified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's is less than 25. Where the total number is less than 25, all must be reviewed.

(2) Randomly select the classified and unclassified contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's to be reviewed from the lists provided.

(3) Document the selections.

e. Randomly select 20% of the contractor employees at the review site from the list provided under paragraph 704a(5). If 20% of the contractor employees is less than 25, all must be reviewed. Document the selections.

705. ON-SITE REVIEW.

a. ACO-300 may want to have an interview process that includes the SSE when conducting quality assurance reviews. These interviews can provide valuable information on the contractor and industrial security program at the review site as well as ideas and suggestions for program and/or process enhancement. Other SSE's may also want to use the interview process as applicable.

b. Interview the SSE to determine if *all* contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's for/with contractor AIS, weapon carrying, fiduciary, air traffic control, communications, and AIS penetration testing positions are reviewed to ensure appropriate security clauses are included; a representative number (as identified by ACO-300) of all other contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's are reviewed to ensure appropriate security clauses are included; procedures have been established for the review of investigative forms to assure completeness; follow-up information is collected on issues identified in the investigative forms and issues are resolved prior to approving interim suitability determination requests; required investigations are conducted; and whether he or she has any suggestions for improving this process.

(1) Governing directive(s): Order 1600.1D, appendix 9, paragraphs 6 and 8, and chapters 2 and 5 of this order.

(2) Supporting documentation: Interview notes.

c. Interview the responsible COTR, LMS, RECO or operating office management official to determine if procedures are in place for appropriate escort of all contractor employees exempt from investigative requirements.

(1) Governing directive(s): Order 1600.1D, appendix 9, paragraphs 6 and 8e, and chapter 4 of this order.

(2) Supporting documentation: Interview notes and observation.

d. Review all contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's at the review site for/with contractor AIS, weapon carrying, fiduciary, air traffic control, communications, and AIS penetration testing positions issued during the past fiscal year to ensure appropriate security clauses are included.

(1) Governing directive(s): Order 1600.1D, appendix 9, paragraph 6, and chapter 2 of this order.

(2) Supporting documentation: Worksheet summary notes, identifying each affected contract, including, but not limited to, purchase order, consulting agreement, lease agreement, and MOA.

e. Review the contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's at the review site, randomly selected under paragraph 704d, to ensure appropriate security clauses are included.

(1) Governing directive(s): Order 1600.1D, appendix 9, paragraph 6, and chapter 2 of this order.

(2) Supporting documentation: Worksheet summary notes, identifying each affected contract, including, but not limited to, purchase order, consulting agreement, lease agreement, and MOA.

f. Review the PSF's for the contractor employees randomly selected under paragraph 704e to verify that background investigations are conducted on those contractor employees who have recurring unescorted access to FAA facilities, sensitive information, and/or resources. Some type of documentation indicating that a fingerprint check and/or background investigation has been initiated or that the contractor employee is exempt from investigation should exist in the file. Note: When these files are maintained at a location separate from the review site, conduct this step prior to the on-site review.

(1) Governing directive(s): Order 1600.1D, appendix 9, paragraph 8, and chapters 3 and 4 of this order.

(2) Supporting documentation: Worksheet summary notes, identifying each affected contract, including, but not limited to, purchase order, consulting agreement, lease agreement, and MOA.

g. Review the electronic data for the randomly selected contractor employees from the list provided under paragraph 704a and verify that the investigation level matches the risk/sensitivity level of the position.

(1) Governing directive(s): Order 1600.1D, chapter 5; appendix 3; and appendix 9, paragraphs 7 and 8; and chapters 3 and 4 of this order.

(2) Supporting documentation: Worksheet summary notes.

h. Compare the FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record, for each of the randomly selected contractor employees against the electronic list and verify that the position risk/sensitivity levels match.

(1) Governing directive(s): Order 1600.1D, chapter 5; appendix 3; and appendix 9, paragraphs 7 and 8; and chapters 3 and 4 and appendix 2 of this order.

(2) Supporting documentation: Worksheet summary notes and copies of discrepant FAA Forms 1600-77.

706. FINDINGS AND RECOMMENDATIONS.

a. Quality assurance review reports are based the findings and recommendations worksheets and supported by corresponding evidence. There can be no recommendation without a finding and a finding is based on the answers to the following:

- (1) When you conducted the review step(s), what did you find?
- (2) What should you have found (according to the review criteria)?
- (3) What is causing the difference?
- (4) If this situation is not corrected, what will be the result?

b. Findings are categorized as primary or secondary based upon the impact on the security posture of the FAA.

(1) Primary. These findings and recommendations concern issues of such importance that they warrant the attention of senior management and/or have potential adverse or major impact on activity or FAA operations.

(a) Action and coordination among different offices external to the review site are necessary to correct the situation.

(b) This category also includes issues which involve cost recovery or substantial savings or noncompliance with prior review recommendations.

(c) These findings and recommendations must be included in the final report and are tracked to ensure that recommendations are implemented.

(2) Secondary. These findings and recommendations are less significant and are basically consultative in nature.

(a) The review site management can reasonably be expected to make the corrections without the involvement of external offices.

(b) These findings and recommendations are brought to the attention of the review site management throughout the review and may be corrected during the review.

(c) These findings and recommendations are not included in the final report and are not tracked.

c. Findings and recommendations are the reviewer's contributions to improving the FAA's performance and to helping managers handle problems more effectively. Effective recommendations should be:

- (1) Specific and clearly stated in simple language.
- (2) Practical and should direct action based on the *current* situation.
- (3) Directed to the *office*, not individual, responsible for the problem.

707. SUPPORTING DOCUMENTATION. Sufficient, competent, and relevant documentation must be obtained during an on-site review in order to support findings and recommendations. Each review step defines the required supporting documentation.

a. Representative numbers. Some of the steps require review of a representative number or percentage of documents or interview of a representative number or percentage of persons. While not statistically valid samples, the number is sufficient to identify problematic areas and/or patterns. The number will not be less than 25; unless the total number available is less than 25.

b. Supporting documentation. The review worksheets will be used for *original* notes taken during interviews and document reviews. Information documented on these worksheets form the basis for the findings and recommendations. Some of the steps require collection of documents. It is not necessary to copy every document reviewed. Make copies only of those documents that indicate noncompliance and inefficiencies or innovative and/or highly successful practices.

708. REVIEW REPORTS.

a. Regions/centers.

(1) The regional/center SSE's must prepare a written report for each review conducted and provide the final report to the regional/center security managers within 90 days of the conclusion of the on-site review.

(2) The regional/center security managers must prepare a transmittal letter and submit the final report to the Assistant Administrator for Region and Center Operations (ARC-1) within 5 days of receipt of the final review report. When a review includes a national contract, the regional/center security managers must notify ACO-300 in writing of all findings and advise ACO-300 of corrective action(s) taken.

(3) ARC-1 will provide the review-site a copy of the final review report within 5 days of receipt of the final review report.

(4) The review site or responsible office (as identified in the final review report) must notify ARC-1 in writing of corrective action(s) taken within 90 days of receipt of the final review report.

(5) ARC-1 will notify the regional/center security managers of all corrective actions taken.

b. Headquarters.

(1) ACO-300 must prepare a written report for each review conducted and provide the final report to the Associate Administrator for Research and Acquisitions (ARA-1) within 90 days of the conclusion of the on-site review.

(2) ARA-1 will provide the review-site a copy of the final review report within 5 days of receipt of the final review report when applicable.

(3) The review site or responsible office (as identified in the final review report) must notify ARC-1 in writing of corrective action(s) taken within 90 days of receipt of the final review report.

c. Review report format and retention:

(1) Quality assurance review reports must include findings, corrections made (if corrections were made at the time of the on-site review), recommendations, and identification of best practices, if applicable. (Refer to appendix 4 for sample review report format.)

(2) Review sites should retain a copy of quality assurance review reports for their sites.

(3) Regional/center security managers will retain a copy of the reports for all quality assurance reviews conducted within their areas of responsibility.

(4) ACO-300 will retain a copy of the reports for all quality assurance reviews they conduct and maintain a record of quality assurance review date provided by field SSE's that impact national contracts.

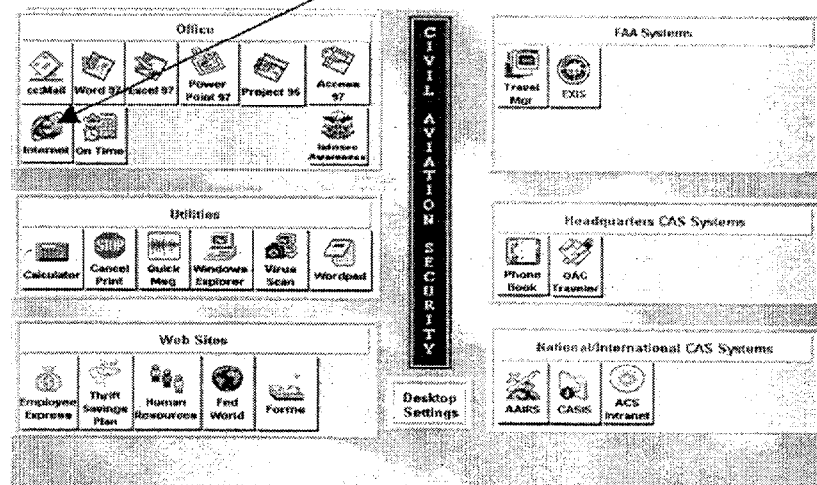
709-799. RESERVED.

APPENDIX 1. SECURITY CLAUSES

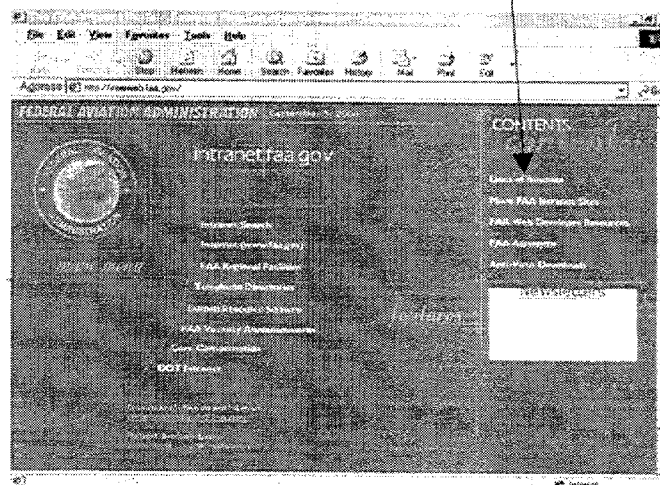
1. ACCESSING APPROVED SECURITY CLAUSES. Once a determination is made that a contractual document must contain security provisions, the appropriate security clauses must be added to the document. These clauses are contained in their entirety in this appendix. However, they can be found in and downloaded directly from the Acquisitions Management System (AMS).

a. Use the following steps to access the clauses through the AMS, except the lease security clause. Instructions for accessing the lease security clause are under paragraph b.

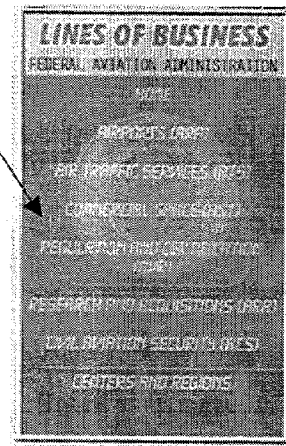
(1) From your secure desk screen, click on the Internet icon.



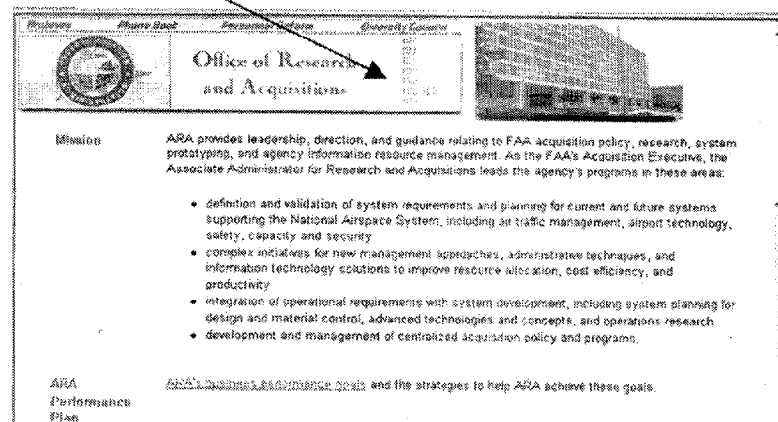
(2) At the FAA intranet portal screen, click on "Lines of Business."



(3) Click on "Research & Acquisitions (ARA)."



(4) Click on "ASU" (note: this will be in very small print in a list at the top of your screen).



(5) Click on "FAST."

Federal Aviation Administration ASU Home

Office of Acquisitions

Purpose:

Plans, monitors, controls, schedules and implements the acquisition of material, equipment, and services for the National Aerospace System (NAS) and for interagency and international programs.

Contributes to the success of the Acquisition Management System by developing, implementing, monitoring, improving and promoting effective and efficient policy, guidance, and tools to manage acquisition lifecycle information.

Formulates and implements FAA policies, standards, and procedures for quality assurance programs associated with the acquisition of NAS systems.

Participates as procurement experts in acquisition life cycle planning and places and administers all contracts and interagency Agreements awarded by FAA Headquarters.

Provides administrative and operational support for the FAA headquarters employees through expertise on space management, administrative telecommunications, personal property, motor vehicles, and building management issues.

(6) Click on "Toolsets."

THE FEDERAL AVIATION ADMINISTRATION ACQUISITION SYSTEM TOOLSET

FAST 09/00

FAA LIFE CYCLE ACQUISITION MANAGEMENT SYSTEM

MISSION ANALYSIS → **INVESTMENT ANALYSIS** → **INVESTMENT DECISION** → **END PROGRAM** → **REPLACEMENT/REPAIR** → **IN SERVICE DECISION** → **IN SERVICE MANAGEMENT** → **MISSION ANALYSIS**

TOOLSETS

ABOUT FAST
WHAT'S NEW
POLICY VS. GUIDANCE - DEFINED
AMS POLICY
LIFE CYCLE PROCESSES
REQUIRED PLANNING DOCUMENTS
TOOLSETS
SEARCH
COMMENTS
INDEX
CONTRACT OPPORTUNITIES
FAA WORLD WIDE WEB SITE

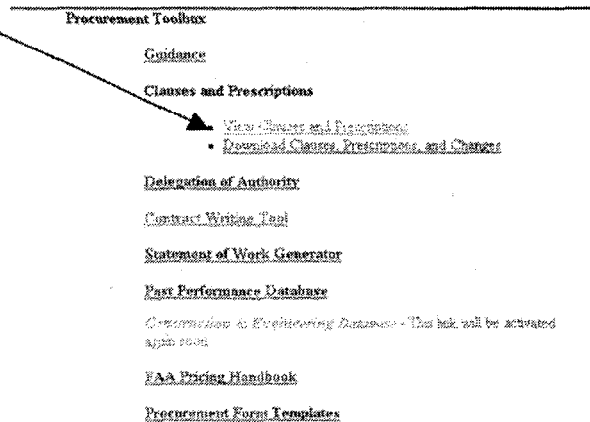
(7) Click on "Procurement Toolbox."

FAST HOME	HELP	WHAT'S NEW	COMMENTS	SEARCH
GUIDANCE				
Toolsets (Indicated items not yet populated)				
<ul style="list-style-type: none"> Acquire Acquisition Overview Acquisition Lessons Learned Configuration Management Configuration Management Policy Developments / Initiatives Environment / Energy / Safety / Health Human Factors Information Technology In-Service Review / Deployment Readiness Integrated Product Development System Investment Analysis Joint Requirements Council Learning System Lifecycle Roles and Responsibilities 	<ul style="list-style-type: none"> Matrix Mission Analysis Procurement Toolbox Process Improvement Quality Assurance Radio Spectrum Management Road Property / Facilities References Review AMS and FAST Risk Management Security Software Engineering System Engineering System Engineering Test and Evaluation Yukon to AMS Policy Guidance 			

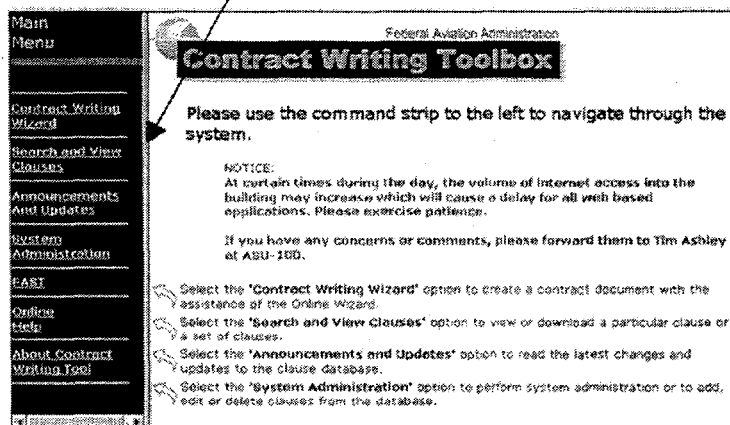
(8) Click on "Clauses & Prescriptions."

FAST HOME	HELP	WHAT'S NEW	COMMENTS	SEARCH
GUIDANCE				
Procurement Toolbox				
Clauses and Prescriptions				
<ul style="list-style-type: none"> View AMS and Prescriptions Download Clauses, Prescriptions, and Changes 				
Delegation of Authority				
Contract Writing Tool				
Statement of Work Generator				
Peer Performance Database				
<i>Construction is Engineering Database - This tool will be activated again soon.</i>				
FAA Pricing Handbook				
Procurement Form Templates				

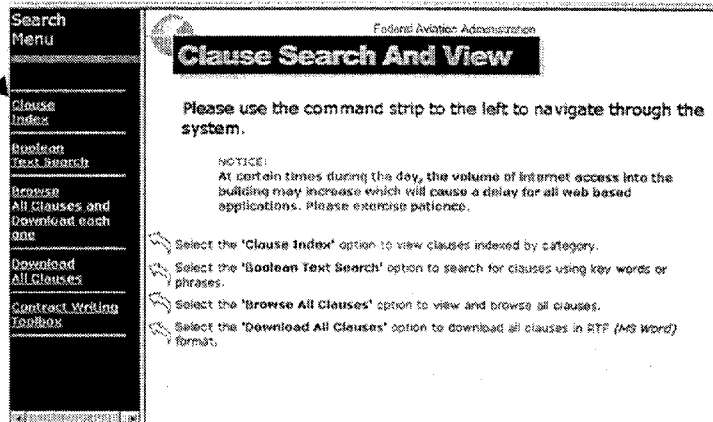
(9) Click on "View Clauses."



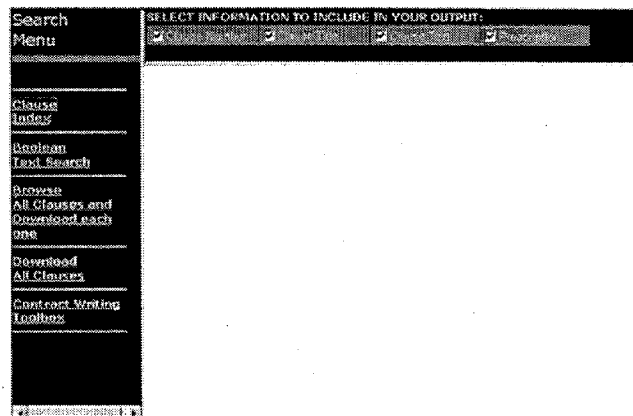
(10) At the "Main Menu," click on "Search & View Clauses."



(11) Click on "Clause Index."



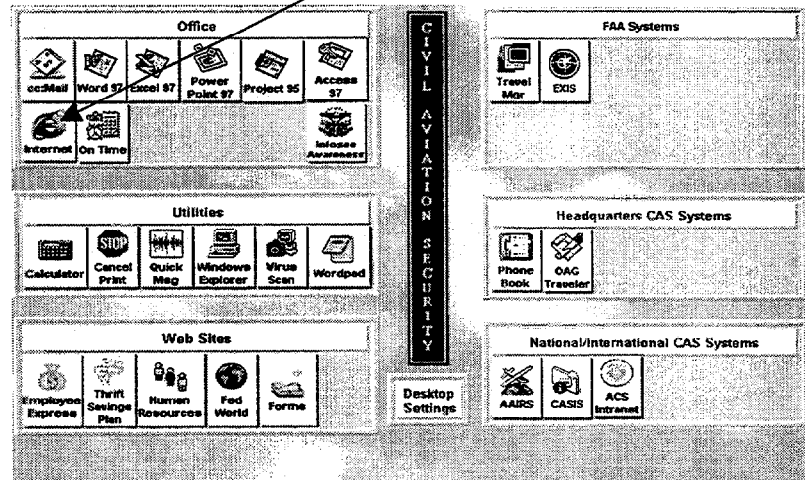
(12) At the top of your screen there will be four boxes and the instruction, "SELECT INFORMATION TO INCLUDE IN YOUR OUTPUT." Ensure all four boxes (clause number, clause title, clause text, and prescriptions) are 'checked' by clicking on them.



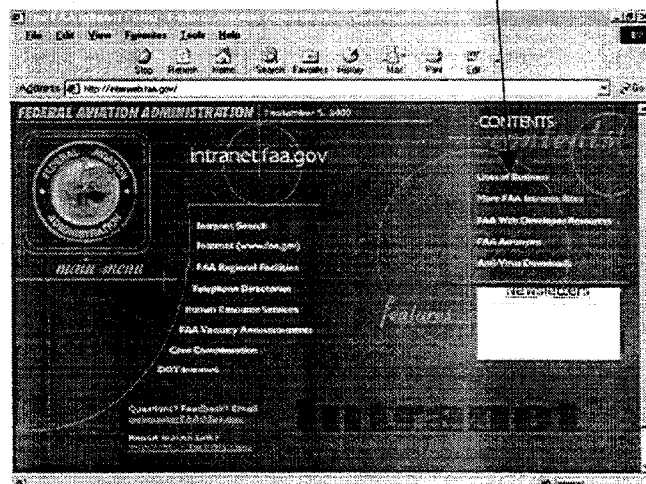
(13) A list of all clauses by number and category will appear. Scroll to the bottom of the list and click on 3.13, Administrative Matters.

b. Use the following steps to access the lease security clauses through the AMS.

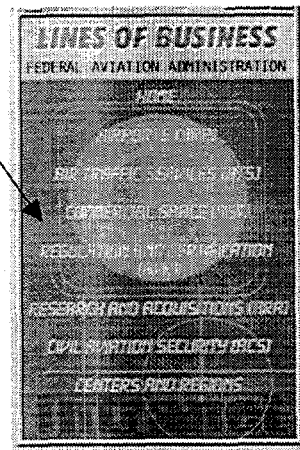
(1) From your secure desk screen, click on the Internet icon.



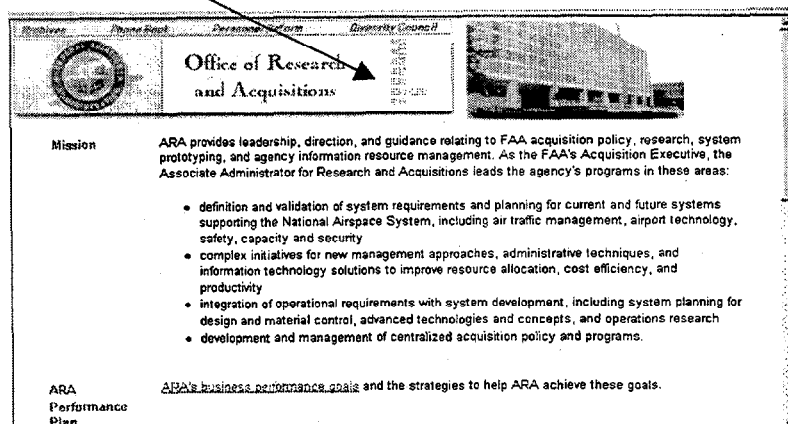
(2) At the FAA intranet portal screen, click on "Lines of Business."



(3) Click on "Research & Acquisitions (ARA)."



(4) Click on "ASU" (note: this will be in very small print in a list at the top of your screen).



(5) Click on "FAST."

**Federal Aviation Administration
ASU Home**

ASU-1
ASU-10
ASU-100
ASU-200
ASU-300
ASU-400
ASU-500
FAST
FAA Home
DOT Home

Office of Acquisitions

Purpose:

Plans, monitors, controls, schedules and implements the acquisition of material, equipment, and services for the National Airspace System (NAS) and for interagency and international programs.

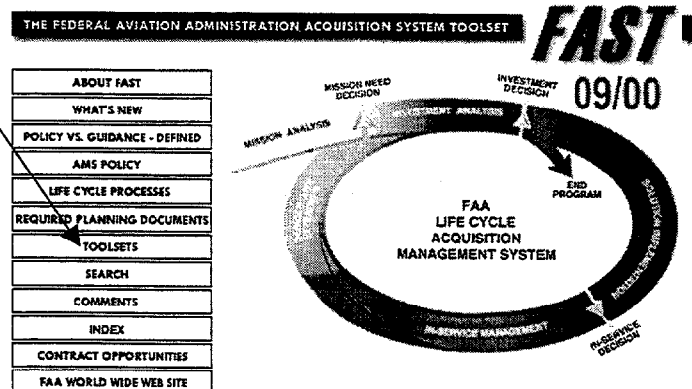
Contributes to the success of the Acquisition Management System by developing, implementing, monitoring, improving and promoting effective and efficient policy, guidance, and tools to manage acquisition lifecycle information.

Formulates and implements FAA policies, standards, and procedures for quality assurance programs associated with the acquisition of NAS systems.

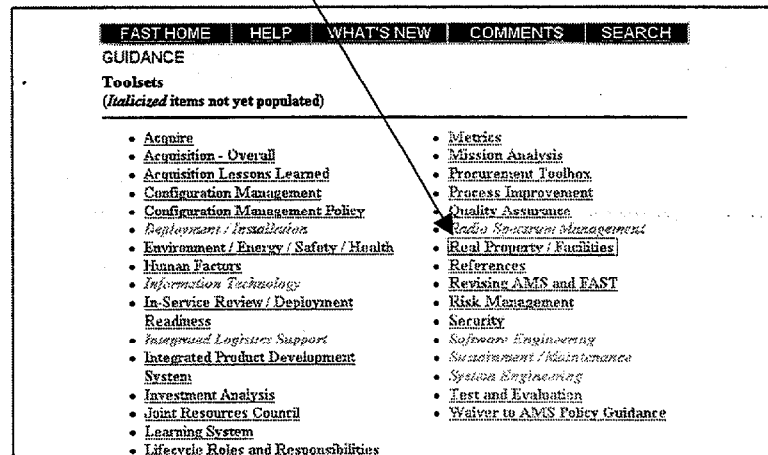
Participates as procurement experts in acquisition life cycle planning and places and administers all contracts and Interagency Agreements awarded by FAA Headquarters.

Provides administrative and operational support for the FAA headquarters employees through expertise on space management, administrative telecommunications, personal property, motor vehicles, and building management issues.

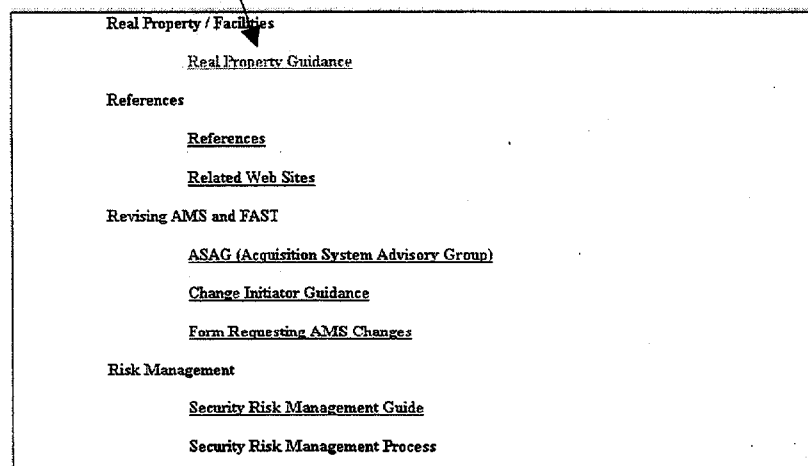
(6) Click on "Toolsets."



(7) Click on "Real Property/Facilities."



(8) Click on "Real Property Guidance."



(9) Scroll down to "II. SPACE, C. Space Forms" and click on number 6, "Space Lease Form."

C. Space Forms

1. Attachment - A to Space Lease . last updated 10/1996
2. Certification of Seismic Compliance . last updated 9/1998
3. Lessors Annual Cost Statement . last updated 4/1996
4. Proposal to lease Space Format . last updated 4/1996
5. Space Action Summary . last updated 4/1996
6. Space Lease Form . last updated 10/2000
7. Space Market Survey Form . last updated 4/1996
8. Space Safety and Environmental Checklist . last updated 4/1996
9. Space Solicitation Information . last updated 4/1996
10. Supplemental Lease Form (SLA) Added 08/2000
11. Full version of Contract Disputes Clause . last updated 8/1999
12. Full version of Protest Clause . last updated 8/1999
13. Full version of Protest Clause After Award . last updated 8/1997
14. Space Requirements Questionnaire . Added 03/2000

(10) A form will appear on your screen. Scroll down to "7N. Security Checks for Contractors in Leased Space," in blue, which will direct you to refer to "Attached Page and Form." Do not click on this item. Continue scrolling down until you see in black, "N. Security Checks for Contractors in Leased Space."

2. SECURITY CLAUSES AND PRESCRIPTIONS.

a. Use this clause in all leases that require a lessor's contractors or subcontractors to perform work or other specified duties or provide services on or at an FAA-leased facility and whose work exceeds 180 days during a 1-year period. (Additional guidance for RECO's can be found in the AMS, FAST, Toolset, Real Property.)

N. Security Checks for Contractors in Leased Space

In accordance with FAA security order 1600.69, Facility Security Management Program, the Lessor shall provide a level of security which reasonably deters unauthorized entry to the leased premises during non-duty hours, and deters loitering or disruptive acts in and around said leased premises during duty hours.

In addition, consistent with Appendices 9 and 10 of FAA order 1600.1D, Personnel Security Program, personnel information shall be submitted to the Government for each employee of the Lessor, as well as employees of the Lessor's contractors or subcontractors who perform work on the leased premises under the following situations:

- a. If the cumulative work activities for any employee (i.e. janitorial, construction contractors, etc.) is expected to exceed 180 calendar days during a 1-year period, the lessor shall forward to the Government:
 1. a quarterly report listing by full name in alphabetical order with the date of birth and social security number of all contractor personnel who had access to FAA facilities, resources and sensitive information anytime during the report period.
 2. completed fingerprint cards (FD-258). Fingerprinting facilities are available through the FAA Security Servicing Element. All fingerprint cards shall be printed in black ink or typewritten with all answerable question blocks completed, and shall be signed and dated.
 3. completed Questionnaire for Public Trust Position (SF-85P). The SF-85P shall be completed (all questions answered) in accordance with the instruction sheet. And
 4. completed identification card application (DOT F1681) with appropriate pictures.
- b. If the cumulative work activities for construction-type work with a cumulative duration of less than 180 calendar days over a 1-year period, the Government shall be provided only the completed employee fact sheet detailing the personnel security information listed above. If local facility security measures require employees to display Government-issued picture identification badges, then the Lessor shall furnish to the Government completed identification card application (DOT F1681) with appropriate pictures.

The Lessor is required to provide to the Government the required personnel information for existing employees within 10 calendar days after acceptance of this clause. Upon receipt of the information from the Lessor, the Government will conduct personnel security checks of those contractor employees outlined in paragraph a. The Government shall advise the Lessor, in writing, if a contractor employee is found to be unsuitable for access to FAA leased premises. Upon receipt of the written determination, the "unsuitable" employee will be immediately removed from the Government leased premises.

Further the Lessor will provide the FAA the required personnel security information for any new contractor employee hired after the date of acceptance of this clause within 10 calendar days.

b. Clause 3.13-2. Use this clause in SIR's and contracts, including, but not limited to, purchase orders, consulting agreements, and memoranda of understanding (MOA) when the contract may require access to information classified as "Confidential," "Secret," or "Top Secret."

3.13-2 Security Requirements (April 1996)

(a) This clause applies to the extent that this contract involves access to information classified 'Confidential,' 'Secret,' or 'Top Secret.'

(b) The Contractor shall comply with (1) the Security Agreement (DD Form 441), including the Department Of Defense Industrial Security Manual for Safeguarding Classified Information (DOD 5220.22-M), and (2) any revisions to that manual, notice of which has been furnished to the Contractor.

(c) If, subsequent to the date of this contract, the security classification or security requirements under this contract are changed by the Government and if the changes cause an increase or decrease in security costs or otherwise affect any other term or condition of this contract, the contract shall be subject to an equitable adjustment as if the changes were directed under the "Changes" clause of this contract.

(d) The Contractor agrees to insert terms that conform substantially to the language of this clause, including this paragraph d) but excluding any reference to the "Changes" clause of this contract, in all subcontracts under this contract that involve access to classified information.
(End of Clause)

c. Clause 3.13-2/alt1. Use this clause in SIR's and contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's if a cost contract for research and development with an educational institution.

3.13-2/alt1 Security Requirements Alternate I (April 1996)

If a cost contract for research and development with an educational institution is contemplated, add the following paragraphs (e), (f), and (g) to the basic clause: '3.13.2 - "Security Requirements."

(e) If a change in security requirements, as provided in paragraphs (b) and (c), results (1) in a change in the security classification of this contract or any of its elements from an unclassified status or a lower classification to a higher classification, or (2) in more restrictive area controls than previously required, the Contractor shall exert every reasonable effort compatible with the Contractor's established policies to continue the performance of work under the contract in compliance with the change in security classification or requirements. If, despite reasonable efforts, the Contractor determines that the continuation of work under this contract is not practicable because of the change in security classification or requirements, the Contractor shall notify the Contracting Officer in writing. Until resolution of the problem is made by the Contracting Officer, the Contractor shall continue safeguarding all classified material as required by this contract.

(f) After receiving the written notification, the Contracting Officer shall explore the circumstances surrounding the proposed change in security classification or requirements, and shall endeavor to work out a mutually satisfactory method whereby the Contractor can continue performance of the work under this contract.

(g) If, 15 days after receipt by the Contracting Officer of the notification of the Contractor's stated inability to proceed, (1) the application to this contract of the change in security classification or requirements has not been withdrawn, or (2) a mutually satisfactory method for continuing performance of work under this contract has not been agreed upon, the Contractor may request the Contracting Officer to terminate the contract in whole or in part. The Contracting Officer shall terminate the contract in whole or in part, as may be appropriate, and the termination shall be deemed a termination under the terms of the "Termination for the Convenience of the Government" clause.

(End of clause)

d. Clause 3.13-2/alt2. Use this clause in SIR's and contracts, including, but not limited to, purchase orders, consulting agreements, and MOA's if employee identification is required for security or other reasons in a construction or architect engineer contract.

3.13-2/alt2 Security Requirements Alternate II (April 1996)

If employee identification is required for security or other reasons in a construction contract or architect-engineer contract, add the following paragraph (e) to the basic clause: 3.13.2, "Security Requirements."

(e) The Contractor shall be responsible for furnishing to each employee and for requiring each employee engaged on the work to display such identification as may be approved and directed by the Contracting Officer. All prescribed identification shall immediately be delivered to the Contracting Officer, for cancellation upon the release of any employee. When required by the Contracting Officer, the Contractor shall obtain and submit fingerprints of all persons employed or to be employed on the project.
(End of Clause)

e. Clause 3.13-6. Use this clause in all FAA SIR's and contracting actions as applicable when the contract, including, but not limited to, purchase order, consulting agreement, or MOA may require access to FAA facilities, sensitive information and/or resources.

3.13-6 Contractor Personnel Suitability Requirements (July 2000)

(a) Definitions. (1) Access - In general the term "access" is defined as the ability to physically enter or pass through an FAA area or a facility; or having the physical ability or authority to obtain FAA sensitive information, materials or resources. In relation to classified information, the ability, authority or opportunity to obtain knowledge of such information or materials.

(2) Classified information - means official information or material that requires protection in the interest of national security and is classified for such purpose by appropriate classification authority in accordance with the provisions of Executive Order 12958, Classified National Security Information, in accordance with the provisions of Executive Order 12968, Access to Classified.

(3) Contractor employee as used for personnel security - any person employed as or by a contractor, subcontractor or consultant in support of the FAA.

(4) FAA Facility as it applies to personnel security - any manned or unmanned building, structure, warehouse, appendage, storage area, utilities, and components, which, when related by function and location form an operating entity owned, operated, or controlled by the FAA.

(5) Operating Office - a FAA line of business, an office or service in FAA headquarters, or a FAA division level organization in a region or center.

(6) Resources - FAA resources includes a physical plant, information databases including hardware and software, as well as manual records pertaining to agency mission or personnel.

(7) Sensitive Information - any information which if subject to unauthorized access, modification, loss, or misuse could adversely affect the national interest, the conduct of Federal programs, or the privacy to which individuals are entitled under Section 552a of Title 5, United States Code (the Privacy Act), but which has not been specifically authorized under criteria established by an Executive Order or an Act of Congress to be kept secret in the interest of national defense or foreign policy. Sensitive data also includes proprietary data.

(8) Servicing Security Element - the FAA headquarters, region, or center organizational element which is responsible for providing security services to a particular activity.

(b) This clause applies to the extent that this contract requires contractor employees, subcontractors, or consultants to have access to: (1) FAA facilities, (2) sensitive information, and/or (3) resources regardless of the location where such access occurs, and none of the requirements and exceptions listed in Appendix 9, paragraph 8 of FAA Order 1600.1D pertain.

(c) Consistent with Appendices 3 and 9 of FAA Order 1600.1D, the FAA Servicing Security Element (SSE) has approved designated risk levels for the following positions under the contract:

Position Risk Level

[CO to insert information here]

(d) Not later than [CO to insert information here] days, not to exceed a maximum of 30 days, after contract award (or date of modification, if this provision is included by modification to an existing contract), for each employee in a listed position, provided, no previous background investigations can be supported as described below, the contractor shall submit the following documentation to the SSE for an employment suitability determination.

- Standard Form (SF) 85P, Questionnaire for Public Trust Positions, revised September 1995. The SF 85P shall be completed (all questions answered) in accordance with the instruction sheet.

- One single sheet fingerprint chart (FD-258). Fingerprinting facilities are available through the SSE and local police department. All fingerprint charts shall be written in ink or typewritten with all answerable question blocks completed, and shall be signed and dated within the 60 day period preceding the submission.

The type of investigation conducted will be determined by the position risk level designation for all duties, functions, and/or tasks performed and shall serve as the basis for granting a favorable employment suitability authorization as described in Appendix 9 of FAA Order 1600.1D. If an employee has had a previous background investigation completed by a federal Government entity, which meets the requirements of Chapter 7 of FAA Order 1600.1D, it will be accepted by the FAA, however, the FAA reserves the right to conduct further investigations, if necessary. For each employee for which a previous background investigation was completed the Contractor shall provide, in writing to the SSE, the name, date of birth, place of birth, and social security number of the employee, the name of the investigating entity and approximate date the previous background investigation was completed.

The Contractor shall submit the required information with a transmittal letter referencing the contract number and this request to:

Headquarters Contracts:

Manager, Investigations Division, ACO-300
Office of Civil Aviation Security
800 Independence Ave. SW
Washington, D.C. 20591

Regional and Center Contracts:

[CO insert appropriate Regional or Center information here or enter "none" if not applicable]

The transmittal letter shall also include a list of the names of employees and their positions for which completed forms were submitted to the SSE pursuant to this Clause. A copy of the transmittal letter shall also be provided to the Contracting Officer.

(e) The contractor shall submit the information required by Section (d) of this Clause for any new employee not listed in the Contractor's initial thirty (30) day submission who is hired into any position identified in Section (c) of this Clause.

(f) No contractor employee shall work in a high, moderate, or low risk position unless the SSE has received all forms necessary to conduct any required investigation and has granted its approval of the forms. However, if this provision is added by modification to an existing contract, contractor employees performing in the positions listed above may continue work on the contract pending 1) the submittal of all necessary forms within [CO to insert information] days, but not to exceed a maximum of 30 days, and 2) completion of a suitability investigation by the SSE, subject to the following conditions:

(State any SSE conditions such as restricted access to sensitive information or facilities. Specify information or facilities. If the SSE imposes no conditions, state "None").

If the necessary forms are not submitted by the Contractor to the SSE within 30 days of the effective date of the modification, the contractor employee shall be denied access to FAA facilities, sensitive information and/or resources until such time as the forms are submitted.

(g) As applicable, the Contractor shall submit quarterly reports providing the following information to the Contracting Officer with a copy to the SSE and the Operating Office on or before the fifth day following each report period: A complete listing by full name in alphabetical order with the social security number, of all contractor personnel who had access to an FAA facility, sensitive information and/or resources anytime during the report period (date of birth and social security number shall be omitted from CO and Operating Office copies of report(s)).

(h) The Contractor shall notify the CO within one (1) day after any employee identified pursuant to Section (c) of this Clause is terminated from performance on the contract.

(i) The Contracting Officer may also, after coordination with the SSE and other security specialists, require contractor employees to submit any other security information (including additional fingerprinting) deemed reasonably necessary to protect the interests of the FAA. In this event, the Contractor shall provide, or cause each of its employees to provide such security information to the SSE, and the same transmittal letter requirements of Section (d) of this Clause shall apply.

(j) Failure to submit information required by this clause within the time required may be determined by the Contracting Officer a material breach of the contract.

(k) If subsequent to the effective date of this contract, the security classification or security requirements under this contract are changed by the Government and if the changes cause an increase or decrease in security costs or otherwise affect any other term or condition of this contract, the contract shall be subject to an equitable adjustment as if the changes were directed under the Changes clause of this contract.

(l) The contractor agrees to insert terms that conform substantially to the language of this clause, including this paragraph (l) but excluding any reference to the Changes clause of this contract, in all subcontracts under this contract that involve access and where the Appendix 9, paragraph 8 requirements and exceptions do not apply.

(End of Clause)

f. Clause 3.13-7. Use this clause in all FAA SIR's and contracting actions as applicable when the contract, including, but not limited to, purchase order, consulting agreement, or MOA may require access to FAA facilities, sensitive information and/or resources.

3.13-7 Qualifications of Employees (July 2000)

The Contracting Officer will provide notice to the Contractor when any contractor employee is found to unsuitable or otherwise objectionable, or whose conduct appears contrary to the public interest, or inconsistent with the best interest of national security. The Contractor shall take appropriate action, including the removal of such employees from working on this FAA contract, at their own expense. The contractor agrees to insert terms that conform substantially to the language of this clause in all subcontracts under this contract.

(End of Clause)

g. Clause 3.13-8. Use this clause in FAA SIR's and contracting actions where the contracting and operating offices, and/or the SSE, determine(s) that it is necessary to restrict access or work on a contract, including, but not limited to, purchase order, consulting agreement, or MOA to individuals identified as United States citizens or as otherwise noted in the clause.

3.13-8 Foreign Nationals as Contractor Employees (January 2000)

Each employee of the Contractor shall be a citizen of the United States of America, or an alien who has been lawfully admitted for permanent residence as evidenced by Alien Registration Receipt Card Form I-151, or who presents other evidence from the Immigration and Naturalization Service that employment will not affect his/her immigration status.

(End of Clause)

APPENDIX 2, FORMS

Section 1, List of forms and standard memoranda used in support of the Contractor and Industrial Security Program. (Refer to section 2 for sample of certain documents, letters, and memorandums.)

Form Number	Title, National Stock Number, Supply Source
SF-85P	Questionnaire for Public Trust Positions, 7540-01-317-7372, GSA
SF-85P-S	Supplemental Questionnaire for Selected Positions, 7540-01-368-7778, GSA
DD-254	Department of Defense Contract Security Classification Specification, 1991-548-195/20034, U.S. GPO
FD-258	FBI Fingerprint Chart (for contractor employees)*
DOT Form 1600-14	FBI Record Check Request**
FAA Form 1600-77	Contractor Position Risk/Sensitivity Level Designation Record, 0052-00-923-7000, FAA Depot***
OFI Form 79B	SII Search Request****
OPM FIPC Form 391	Certification of Amended Investigative Form****
Sample Letter	Request for DCII Check
Sample Memo	Interim Suitability Determination
	Final Suitability Determination

* No stock number. Available from the Federal Bureau of Investigation, Identification Division, Washington, DC, 20537.

** No stock number. Available from the DOT Office of Security (M-40), Office of the Secretary. Also available through the DOT Intranet; refer to section 4 for access instructions.

*** Also available through the Acquisitions Management System (AMS); refer to section 3 for download instructions.

**** No stock number. Available from the Supply Clerk, Operations Support Branch, OPM-FIPC, Boyers, Pennsylvania 16018.

NOTE: The FAA forms identified here are not yet available through the FAA Electronic Document System (FEDS).

Section 2, Sample forms, letters and memoranda.

DEPARTMENT OF DEFENSE CONTRACT SECURITY CLASSIFICATION SPECIFICATION <i>(The requirements of the DoD Industrial Security Manual apply to all security aspects of this effort.)</i>				1. CLEARANCE AND SAFEGUARDING	
				a. FACILITY CLEARANCE REQUIRED	
				b. LEVEL OF SAFEGUARDING REQUIRED	
2. THIS SPECIFICATION IS FOR: (X and complete as applicable)				3. THIS SPECIFICATION IS: (X and complete as applicable)	
a. PRIME CONTRACT NUMBER				a. ORIGINAL (Complete date in all cases)	Date (YYMMDD)
b. SUBCONTRACT NUMBER				b. REVISED (Supersedes all previous specs)	Revision No. Date (YYMMDD)
c. SOLICITATION OR OTHER NUMBER		Due Date (YYMMDD)		c. FINAL (Complete Item 5 in all cases)	Date (YYMMDD)
4. IS THIS A FOLLOW-ON CONTRACT? <input type="checkbox"/> YES <input type="checkbox"/> NO. If Yes, complete the following: Classified material received or generated under _____ (Preceding Contract Number) is transferred to this follow-on contract.					
5. IS THIS A FINAL DD FORM 2547 <input type="checkbox"/> YES <input type="checkbox"/> NO. If Yes, complete the following: In response to the contractor's request dated _____, retention of the identified classified material is authorized for the period of _____					
6. CONTRACTOR (Include Commercial and Government Entity (CAGE) Code)					
a. NAME, ADDRESS, AND ZIP CODE		b. CAGE CODE		c. COGNIZANT SECURITY OFFICE (Name, Address, and Zip Code)	
7. SUBCONTRACTOR					
a. NAME, ADDRESS, AND ZIP CODE		b. CAGE CODE		c. COGNIZANT SECURITY OFFICE (Name, Address, and Zip Code)	
8. ACTUAL PERFORMANCE					
a. LOCATION		b. CAGE CODE		c. COGNIZANT SECURITY OFFICE (Name, Address, and Zip Code)	
9. GENERAL IDENTIFICATION OF THIS PROCUREMENT					
10. THIS CONTRACT WILL REQUIRE ACCESS TO:					
a. COMMUNICATIONS SECURITY (COMSEC) INFORMATION	YES	NO	11. IN PERFORMING THIS CONTRACT, THE CONTRACTOR WILL:		
b. RESTRICTED DATA			a. HAVE ACCESS TO CLASSIFIED INFORMATION ONLY AT ANOTHER CONTRACTOR'S FACILITY OR A GOVERNMENT ACTIVITY	YES	NO
c. CRITICAL NUCLEAR WEAPON DESIGN INFORMATION			b. RECEIVE CLASSIFIED DOCUMENTS ONLY		
d. FORMERLY RESTRICTED DATA			c. RECEIVE AND GENERATE CLASSIFIED MATERIAL		
e. INTELLIGENCE INFORMATION:			d. FABRICATE, MODIFY, OR STORE CLASSIFIED HARDWARE		
(1) Sensitive Compartmented Information (SCI)			e. PERFORM SERVICES ONLY		
(2) Non-SCI			f. HAVE ACCESS TO U.S. CLASSIFIED INFORMATION OUTSIDE THE U.S., PUERTO RICO, U.S. POSSESSIONS AND TRUST TERRITORIES		
f. SPECIAL ACCESS INFORMATION			g. BE AUTHORIZED TO USE THE SERVICES OF DEFENSE TECHNICAL INFORMATION CENTER (DTIC) OR OTHER SECONDARY DISTRIBUTION CENTER		
g. NATO INFORMATION			h. REQUIRE A COMSEC ACCOUNT		
h. FOREIGN GOVERNMENT INFORMATION			i. HAVE TEMPEST REQUIREMENTS		
i. LIMITED DISSEMINATION INFORMATION			j. HAVE OPERATIONS SECURITY (OPSEC) REQUIREMENTS		
j. FOR OFFICIAL USE ONLY INFORMATION			k. BE AUTHORIZED TO USE THE DEFENSE COURIER SERVICE		
k. OTHER (Specify)			l. OTHER (Specify)		

Appendix 2

12. PUBLIC RELEASE. Any information (classified or unclassified) pertaining to this contract shall not be released for public dissemination except as provided by the Industrial Security Manual or unless it has been approved for public release by appropriate U.S. Government authority. Proposed public releases shall be submitted for approval prior to release

☐ Direct ☐ Through (Specify):

to the Directorate for Freedom of Information and Security Review, Office of the Assistant Secretary of Defense (Public Affairs)* for review.
 * In the case of non-DoD User Agencies, requests for disclosure shall be submitted to that agency.

13. SECURITY GUIDANCE. The security classification guidance needed for this classified effort is identified below. If any difficulty is encountered in applying this guidance or if any other contributing factor indicates a need for changes in this guidance, the contractor is authorized and encouraged to provide recommended changes; to challenge the guidance or the classification assigned to any information or material furnished or generated under this contract; and to submit any questions for interpretation of this guidance to the official identified below. Pending final decision, the information involved shall be handled and protected at the highest level of classification assigned or recommended. (Fill in as appropriate for the classified effort. Attach, or forward under separate correspondence, any documents/guides/extracts referenced herein. Add additional pages as needed to provide complete guidance.)

14. ADDITIONAL SECURITY REQUIREMENTS. Requirements, in addition to ISM requirements, are established for this contract. (If Yes, identify the pertinent contractual clauses in the contract document itself, or provide an appropriate statement which identifies the additional requirements. Provide a copy of the requirements to the cognizant security office. Use Item 13 if additional space is needed.)


☐ Yes ☐ No

15. INSPECTIONS. Elements of this contract are outside the inspection responsibility of the cognizant security office. (If Yes, explain and identify specific areas or elements carved out and the activity responsible for inspections. Use Item 13 if additional space is needed.)

☐ Yes ☐ No

16. CERTIFICATION AND SIGNATURE. Security requirements stated herein are complete and adequate for safeguarding the classified information to be released or generated under this classified effort. All questions shall be referred to the official named below.

a. TYPED NAME OF CERTIFYING OFFICIAL	b. TITLE	c. TELEPHONE (Include Area Code)
d. ADDRESS (Include Zip Code)	17. REQUIRED DISTRIBUTION <ul style="list-style-type: none"> <input type="checkbox"/> a. CONTRACTOR <input type="checkbox"/> b. SUBCONTRACTOR <input type="checkbox"/> c. COGNIZANT SECURITY OFFICE FOR PRIME AND SUBCONTRACTOR <input type="checkbox"/> d. U.S. ACTIVITY RESPONSIBLE FOR OVERSEAS SECURITY ADMINISTRATION <input type="checkbox"/> e. ADMINISTRATIVE CONTRACTING OFFICER <input type="checkbox"/> f. OTHERS AS NECESSARY 	
e. SIGNATURE		

 FBI RECORD CHECK REQUEST U.S. Department of Transportation Office of the Secretary of Transportation (See Instructions on Reverse Side)					PURPOSE OF CHECK	
TYPE OF CHECK	FBI NAME CHECK		See reverse for FBI complete address	RECORDS BRANCH	Preemployment Screening	
	SPECIAL SEARCH OF CRIMINAL FILES			RECORDS BRANCH	National Defense Executive Reserve	
	FBI IDENTIFICATION			IDENTIFICATION DIVISION		
PERSON BEING CHECKED	NAME (Last, first, middle)			SEX <input type="checkbox"/> Male <input type="checkbox"/> Female	Critical-Sensitive Update Form	
	OTHER NAMES USED			DOT Consultant/Expert		
	BIRTH (Mo., day, yr.)	BIRTHPLACE (City, State or Country)	SOCIAL SECURITY NO.		DOT Advisory Committee Member	
	MILITARY SERVICE (Branch, Service No. and when in service)			FBI IDENT. RECORD NO.		DOT Designated Representative
RELATIVES	SPOUSE (and former spouse(s)) (Names and years in which married to each)				DOT Contractor Representative	
	OTHER IMMEDIATE RELATIVES (Father, mother, brother, sister, and children) (Give full names and relationship)				Copy of FBI Reports Requested—	
					Investigation Completed	
					Subject of Current DOT Investigation—Type and Case Number	
				OTHER (Specify)		
RESIDENCES Primary residences since 18th birthday or past 15 years (if shorter)	FROM	TO	NUMBER, STREET, CITY AND STATE (or foreign country)			
EMPLOYMENT Primary employments since 18th birthday or past 15 years (if shorter)	FROM	TO	EMPLOYER, CITY AND STATE (or foreign country)			
SCHOOLS ATTENDED Above high school level	DATES ATTENDED		NAME OF SCHOOL		CITY AND STATE (or foreign country)	
ADDITIONAL PERTINENT INFORMATION				DOT REQUESTING OFFICE	OFFICE	ROUTING SYMBOL
					SIGNATURE	DATE
RETURN RESULTS TO	Office of Security, M-70 Office of the Secretary of Transportation Room 7402, Nassif Building 400 7th Street, S.W. Washington, D.C. 20590			FOR FBI USE RESULTS OF CHECK		

GENERAL INSTRUCTIONS FOR COMPLETION OF FBI RECORD CHECK REQUEST FORM

1. DOT investigations and Security Offices: Submit a separate copy of the request for each check desired, except that SPECIAL SEARCH OF CRIMINAL FILES may be checked on the same form with an FBI NAME CHECK request when needed. Send each request form directly to the appropriate FBI address listed below. Results will be furnished to the Director, Office of Security, OST for dissemination and control within the Department.

2. The FBI can do a more effective search when all available requested data is furnished.

- Provide full name if available; as complete as possible in any case. For a married woman, list her given name (e.g. SMITH, Alice Rose, not SMITH, Mrs. John Adam), and also include as a former name her maiden name (e.g. NEE: BROWN) and any former married name (e.g. FMN: KELLY). Use AKA to indicate "also known as" when an alias, alternate spelling, generally-used nickname or different family name is known to have been used.
- Good judgment must be exercised as to the extent of data that is needed on a specific case. Detailed data helps to isolate file data relating to the person being checked. When the FBI Identification Number relating to the person is known, very limited data will suffice. If there were numerous residence changes, list all cities of residence but give street numbers only for current and longest prior residences. If there were frequent employment changes, summarize employments by type of work, major locations and some of the longest employments.
- Under "Additional Pertinent Information" include data which may help obtain an adequate search or clarify what the desired reports or information are.

3. PURPOSE OF CHECK must be marked to readily identify the official interest in the person being checked or the materials being requested. Use of the blocks is as follows:

- Preemployment Screening For determining employment fitness when an NACI or FFI is not being initiated. Avoid duplicating OPM checks on the same case.
- National Defense Executive Reserve For the pre-clearance phase.
- Critical Sensitive Update Five year reinvestigation. Show data FBI files last checked in prior investigation.
- DOT Consultant / Expert Precheck candidates in these categories subject to Secretary's appointment approval.
- DOT Advisory Committee Members Precheck candidates who are subject to the Secretary's appointment approval.
- DOT Designated Representative Check of persons acting for any DOT element who are not appointed or paid by the element.
- DOT Contractor Representative Reliability screening of employees of contractor with any DOT element.
- Copy of FBI Reports Requested Use of ask for copy of specific FBI reports, showing date investigation completed.
- Subject of Current DOT Investigation Use when search of FBI files is relevant to current investigation. Show type and case number.
- Other Specify here the purpose of the check if none of the other blocks are appropriate.

4. Each request must show the DOT office seeking the information and the official approving submission of the request.


FBI ADDRESSES

FBI Headquarters: Director Executive Agency Unit—Washington, D.C. 20535
FBI Headquarters: Director Identification Division—Washington, D.C. 20535

5-1209.2-1-0419

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Appendix 2

 U.S. Department of Transportation Federal Aviation Administration	CONTRACTOR POSITION RISK / SENSITIVITY LEVEL DESIGNATION RECORD		
Contractor Name / Subcontractor		Organization Code or Cost Center	
Purpose of Contract		Contract / Solicitation Number	
Position Title			
If the position is a national security position (security clearance required) Sections I, II and III are optional.			
RISK DESIGNATION SYSTEM			
I. Program Placement			
Impact on efficiency of service	Major <input type="checkbox"/>	Substantial <input type="checkbox"/>	Moderate <input type="checkbox"/>
Scope of Operations for efficiency of service	World Wide <input type="checkbox"/>	Gov't Wide <input type="checkbox"/>	Multi-Agency <input type="checkbox"/>
Placement	Major <input type="checkbox"/>	Substantial <input type="checkbox"/>	Moderate <input type="checkbox"/>
II. Position Risk Points			
a. Degree of public trust	(7-1) -----	_____	TOTAL POINTS: _____
b. Fiduciary responsibilities	(7-1) -----	_____	
c. Importance to program	(7-1) -----	_____	
d. Program authority level	(7-1) -----	_____	
e. Supervision received	(7-1) -----	_____	
III. Risk/Sensitivity Level			
High Risk - 6 Moderate Risk - 5 Special-Sensitive - 4	Critical-Sensitive - 3 Noncritical-Sensitive - 2 Low Risk - 1	RISK LEVEL: _____	
IV. Final Adjustment Factor(s), Including AIS Risk Criteria			
Level of Security Clearance Required (To be filled in by the SSE) <input type="checkbox"/> TOP SECRET <input type="checkbox"/> SECRET <input type="checkbox"/> CONFIDENTIAL <input type="checkbox"/> NONE			
V. Final Risk / Sensitivity Level			
Final Risk/Sensitivity Level - _____ Comments:			
Level of Investigation Required (To be filled in by the SSE) <input type="checkbox"/> FP Check <input type="checkbox"/> NACI <input type="checkbox"/> NACIC <input type="checkbox"/> MBI <input type="checkbox"/> LBI <input type="checkbox"/> BI <input type="checkbox"/> SBI			
Operating Office/CO (providing input) and Code	Signature of Operating Office/CO (providing input)		Date
Approving Security Official (Type or Print name)	Signature of Approving Security Official		Date

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Appendix 2**Instructions on the Back of Agency Copy**

OFI Form 79B January 1990 <div style="text-align: center; font-weight: bold; font-size: 1.2em;">REQUEST FOR SEARCH OF OPM RECORDS</div>	OPM-FIPC USE ONLY
---	--------------------------

PART A: REQUEST INFORMATION (To be completed by requesting agency)

1. Subject's Full Name (Last) (First) (Middle) (Jr., Sr., II, etc.)	2. SSN	3. DOB Month Day Year
4. Place of Birth (City, County, State, Country)	5. Other Name(s) Used (Nee, AKA, FMN)	
6. Purpose of Request <input type="checkbox"/> Pre-placement <input type="checkbox"/> Investigation Status Request		
7. Security Office or Submitting Office to Receive Response SOI or SON Code: 	8. Name and Position of Requesting Official	
Name: Address:	9. Official's Commercial Phone No. COMM: () -	

10. If the subject claims prior Federal employment, has there been a break in service?
☐ Subject transferred—No break in service
☐ Break in service **less than 12 months**
☐ Over 12 months' break in service—Dates of break: _____

Part A
 completed by _____ on _____
(Signature) (Date)

PART B: OPM RECORD INFORMATION (To be completed by OPM-FIPC)

1. <input type="checkbox"/> No Record Found 2. <input type="checkbox"/> OPM File Attached— Complete the back of this form. 3. <input type="checkbox"/> OPM Record Information Attached 4. <input type="checkbox"/> A _____ investigation is currently being conducted by OPM. You may resubmit your request on or around _____ 5. <input type="checkbox"/> Investigation requested by your agency is currently being conducted by OPM. Case Status _____ 6. <input type="checkbox"/> Results of investigation were previously furnished to your agency at the location shown below. Please direct any further inquiries to that office. _____ 7. <input type="checkbox"/> Prior investigation initiated by OPM was not completed and requires updating before release. See FPM chapter 736, subchapter 2, for instructions on how to request an update of the investigation. 8. <input type="checkbox"/> Prior investigation completed by OPM on _____. As this investigation was completed over 36 months ago or the subject has more than 12 months' break-in-service, this record requires updating before release. See FPM chapter 736, subchapter 2, for instructions on how to request an update of the investigation. 9. <input type="checkbox"/> Other (Specify): _____	Part B completed by _____ on _____ (Signature) (Date)
---	---

AGENCY ADJUDICATIVE ACTION ON OPM PERSONNEL INVESTIGATIONS

Attached is investigative material compiled by the Office of Personnel Management on the individual identified in Block 1 on the front of this Form. Under FPM chapters 731 (Personnel Suitability) and 732 (Personnel Security), you are required to report to OPM your final adjudicative action within 90 days from the date of receipt of all OPM investigative material. Report that action below and return this form to: OPM-FIPC, (79), Boyers, PA 16018.

Using the Personnel Suitability adjudication guidelines and procedures in FPM chapter 731, OPM has made an initial Basic Suitability Adjudication determination of the issues in the attached case file as shown below. Agency adjudication should take into consideration the procedures in FPM chapters 731 and 732.

Issue Characterization:

- ☐ (R)* **No actionable issue(s)** in the attached investigation.
- ☐ **A** There are potentially actionable issue(s) which, standing alone, would not be disqualifying under suitability/security considerations.
- ☐ **B** There are potentially actionable issue(s) which may very possibly be disqualifying under suitability/security considerations. If you check **Block 1** below, provide in the Remarks Section a brief, general narrative concerning what was considered in making the final determination.
- ☐ **C** There are potentially actionable issue(s) which, standing alone, may probably be disqualifying under suitability/security considerations. If you check **Block 1 or 2** below, provide in the Remarks Section the specific rationale for the determination.
- ☐ **D** There are potentially actionable issue(s) which, standing alone, would be disqualifying under suitability/security considerations. **YOU MUST CONTACT THE OPM-FIPC, SUITABILITY ADJUDICATIONS BRANCH, [COMM. (412) 794-5228], WITHIN 30 DAYS TO COORDINATE THE ADJUDICATIVE ACTION IN THIS CASE.**
- ☐ (E)* There are other matters requiring your review and consideration.

*For OPM coding purposes only.

Agency Action:

1. ☐ Subject not contacted; favorable determination.
2. ☐ Subject contacted; favorable determination.
3. ☐ Subject terminated/resigned/withdrew prior to determination.
4. ☐ Subject not appointed due to security/suitability issues.
5. ☐ Subject removed due to security/suitability issues.
6. ☐ Other (Specify): _____
7. ☐ Letter of warning issued.
8. ☐ Letter of reprimand issued.
9. ☐ Suspension of 14 days or less issued.

Remarks:

Completed by _____ on: _____
(Signature) (Date)

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Appendix 2

Instructions on the Back of Agency Copy

OFI Form 79B January 1990		REQUEST FOR SEARCH OF OPM RECORDS		OPM-FIPC USE ONLY	
PART A: REQUEST INFORMATION (To be completed by requesting agency)					
1. Subject's Full Name <div style="display: flex; justify-content: space-between; font-size: 8pt;">(Last)(First)(Middle)(Jr., Sr., II, etc.)</div>			2. SSN <div style="display: flex; justify-content: space-between; height: 20px;"><div></div><div></div><div></div><div></div><div></div><div></div></div>		3. DOB <div style="display: flex; justify-content: space-between; font-size: 8pt;">MonthDayYear</div>
4. Place of Birth (City, County, State, Country)			5. Other Name(s) Used (Nee, AKA, FMN)		
6. Purpose of Request <div style="display: flex; justify-content: space-around;"><div><input type="checkbox"/> Pre-placement</div><div><input type="checkbox"/> Investigation Status Request</div></div>					
7. Security Office or Submitting Office to Receive Response <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 5px;"><div>Name: Address:</div><div>SOI or SON Code: <div style="display: flex; border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div></div></div>			8. Name and Position of Requesting Official <div style="height: 30px; border: 1px solid black; margin-top: 5px;"></div>		
			9. Official's Commercial Phone No. <div style="margin-top: 5px;">COMM: () - </div>		
10. If the subject claims prior Federal employment, has there been a break in service? <div style="margin-top: 5px;"><input type="checkbox"/> Subject transferred—No break in service <input type="checkbox"/> Break in service less than 12 months <input type="checkbox"/> Over 12 months' break in service—Dates of break: _____</div>					
Part A completed by _____ on _____ <div style="display: flex; justify-content: space-between; font-size: 8pt;">(Signature)(Date)</div>					
PART B: OPM RECORD INFORMATION (To be completed by OPM-FIPC)					
1. <input type="checkbox"/> No Record Found					
2. <input type="checkbox"/> CPM File Attached—Complete the back of this form.					
3. <input type="checkbox"/> OPM Record Information Attached					
4. <input type="checkbox"/> A _____ investigation is currently being conducted by OPM. You may resubmit your request on or around _____					
5. <input type="checkbox"/> Investigation requested by your agency is currently being conducted by OPM. Case Status _____					
6. <input type="checkbox"/> Results of investigation were previously furnished to your agency at the location shown below. Please direct any further inquiries to that office. <div style="height: 30px; border: 1px solid black; margin-top: 5px;"></div>					
7. <input type="checkbox"/> Prior investigation initiated by OPM was not completed and requires updating before release. See FPM chapter 736, subchapter 2, for instructions on how to request an update of the investigation.					
8. <input type="checkbox"/> Prior investigation completed by OPM on _____. As this investigation was completed over 36 months ago or the subject has more than 12 months' break-in-service, this record requires updating before release. See FPM chapter 736, subchapter 2, for instructions on how to request an update of the investigation.					
9. <input type="checkbox"/> Other (Specify): _____					
Part B completed by _____ on _____ <div style="display: flex; justify-content: space-between; font-size: 8pt;">(Signature)(Date)</div>					

Appendix 2

AGENCY ADJUDICATIVE ACTION ON OPM PERSONNEL INVESTIGATIONS

Attached is investigative material compiled by the Office of Personnel Management on the individual identified in Block 1 on the front of this Form. Under FPM chapters 731 (Personnel Suitability) and 732 (Personnel Security), you are required to report to OPM your final adjudicative action within 90 days from the date of receipt of all OPM investigative material. Report that action below and return this form to: OPM-FIPC, (79), Boyers, PA 16018.

Using the Personnel Suitability adjudication guidelines and procedures in FPM chapter 731, OPM has made an initial Basic Suitability Adjudication determination of the issues in the attached case file as shown below. Agency adjudication should take into consideration the procedures in FPM chapters 731 and 732.

Issue Characterization:

- ☐ (R)* No actionable issue(s) in the attached investigation.
- ☐ A There are potentially actionable issue(s) which, standing alone, would not be disqualifying under suitability/security considerations.
- ☐ B There are potentially actionable issue(s) which may very possibly be disqualifying under suitability/security considerations. If you check **Block 1** below, provide in the Remarks Section a brief, general narrative concerning what was considered in making the final determination.
- ☐ C There are potentially actionable issue(s) which, standing alone, may probably be disqualifying under suitability/security considerations. If you check **Block 1 or 2** below, provide in the Remarks Section the specific rationale for the determination.
- ☐ D There are potentially actionable issue(s) which, standing alone, would be disqualifying under suitability/security considerations. **YOU MUST CONTACT THE OPM-FIPC, SUITABILITY ADJUDICATIONS BRANCH, [COMM. (412) 794-5228], WITHIN 30 DAYS TO COORDINATE THE ADJUDICATIVE ACTION IN THIS CASE.**
- ☐ (E)* There are other matters requiring your review and consideration.

*For OPM coding purposes only.

Agency Action:

1. ☐ Subject not contacted; favorable determination.
2. ☐ Subject contacted; favorable determination.
3. ☐ Subject terminated/resigned/withdrew prior to determination.
4. ☐ Subject not appointed due to security/suitability issues.
5. ☐ Subject removed due to security/suitability issues.
6. ☐ Other (Specify): _____
7. ☐ Letter of warning issued.
8. ☐ Letter of reprimand issued.
9. ☐ Suspension of 14 days or less issued.

Remarks:

Completed by _____ on: _____
(Signature) (Date)

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Appendix 2

Instructions on the Back of Agency Copy

<small>OFI Form 79B January 1990</small> REQUEST FOR SEARCH OF OPM RECORDS	OPM-FIPC USE ONLY												
PART A: REQUEST INFORMATION (To be completed by requesting agency)													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 60%; padding: 2px;">1. Subject's Full Name <small>(Last) (First) (Middle) (Jr., Sr., II, etc.)</small></td><td style="width: 15%; padding: 2px;">2. SSN</td><td style="width: 25%; padding: 2px;">3. DOB <small>Month Day Year</small></td></tr><tr><td style="padding: 2px;">4. Place of Birth (City, County, State, Country)</td><td colspan="2" style="padding: 2px;">5. Other Name(s) Used (Nee, AKA, FMN)</td></tr><tr><td colspan="3" style="padding: 5px;">6. Purpose of Request <input type="checkbox"/> Pre-placement <input type="checkbox"/> Investigation Status Request</td></tr><tr><td style="padding: 2px;">7. Security Office or Submitting Office to Receive Response SOI or SON Code: <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> Name: Address:</td><td colspan="2" style="padding: 2px;">8. Name and Position of Requesting Official 9. Official's Commercial Phone No. COMM: () - </td></tr></table>		1. Subject's Full Name <small>(Last) (First) (Middle) (Jr., Sr., II, etc.)</small>	2. SSN	3. DOB <small>Month Day Year</small>	4. Place of Birth (City, County, State, Country)	5. Other Name(s) Used (Nee, AKA, FMN)		6. Purpose of Request <input type="checkbox"/> Pre-placement <input type="checkbox"/> Investigation Status Request			7. Security Office or Submitting Office to Receive Response SOI or SON Code: <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> Name: Address:	8. Name and Position of Requesting Official 9. Official's Commercial Phone No. COMM: () -	
1. Subject's Full Name <small>(Last) (First) (Middle) (Jr., Sr., II, etc.)</small>	2. SSN	3. DOB <small>Month Day Year</small>											
4. Place of Birth (City, County, State, Country)	5. Other Name(s) Used (Nee, AKA, FMN)												
6. Purpose of Request <input type="checkbox"/> Pre-placement <input type="checkbox"/> Investigation Status Request													
7. Security Office or Submitting Office to Receive Response SOI or SON Code: <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> Name: Address:	8. Name and Position of Requesting Official 9. Official's Commercial Phone No. COMM: () -												
10. If the subject claims prior Federal employment, has there been a break in service? <input type="checkbox"/> Subject transferred—No break in service <input type="checkbox"/> Break in service less than 12 months <input type="checkbox"/> Over 12 months' break in service—Dates of break: _____													
Part A completed by _____ on _____ <div style="text-align: center;"><small>(Signature) (Date)</small></div>													
PART B: OPM RECORD INFORMATION (To be completed by OPM-FIPC)													
1. <input type="checkbox"/> No Record Found													
2. <input type="checkbox"/> OPM File Attached— Complete the back of this form.													
3. <input type="checkbox"/> OPM Record Information Attached													
4. <input type="checkbox"/> A _____ investigation is currently being conducted by OPM. You may resubmit your request on or around _____													
5. <input type="checkbox"/> Investigation requested by your agency is currently being conducted by OPM. Case Status _____													
6. <input type="checkbox"/> Results of investigation were previously furnished to your agency at the location shown below. Please direct any further inquiries to that office. _____													
7. <input type="checkbox"/> Prior investigation initiated by OPM was not completed and requires updating before release. See FPM chapter 736, subchapter 2, for instructions on how to request an update of the investigation.													
8. <input type="checkbox"/> Prior investigation completed by OPM on _____. As this investigation was completed over 36 months ago or the subject has more than 12 months' break-in-service, this record requires updating before release. See FPM chapter 736, subchapter 2, for instructions on how to request an update of the investigation.													
9. <input type="checkbox"/> Other (Specify): _____													
Part B completed by _____ on _____ <div style="text-align: center;"><small>(Signature) (Date)</small></div>													

Purpose of OFI Form 79B

This Form replaces OPI Form 79 dated 12/82. Agencies should use this Form to request a search of OPM's Security Investigations Index (SII) only.

Instructions for Completing OFI Form 79B

ALL ITEMS IN PART A MUST BE COMPLETED. INCOMPLETE FORMS WILL BE RETURNED, CAUSING A DELAY IN PROCESSING THE REQUEST.

1. Complete and sign Part A. Type all items.
2. Send the original and OPM Copy to: OPM-FIPC
79
Boyers, PA 16018
3. Keep Agency Copy for your records.
4. The OPM-FIPC will complete Part B and return both copies.
5. If OPM sends a file, complete the back of the form and send OPM Copy to OPM-FIPC.
6. Keep the original for your records.

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Appendix 2

**US Office of Personnel Management
Investigations Service
Federal Investigations Processing Center
Boyers, PA 16018-0618**

CERTIFICATION OF AMENDED INVESTIGATIVE FORM

SUBJECT'S NAME: _____ **SSN:** _____

Instructions: This side is to be used in tandem with amendments made to the "9/95" versions of the Standard Forms 85/85P/86 and 85PS. In the left hand column, please check off each item where an alteration and/or amendment has been made and complete the certification at the bottom of the form.

Response(s) Modified	ITEM	SF 86	SF 85P	SF 85PS	SF 85
<input type="checkbox"/>	Foreign Activities	17 a-d	NA	NA	NA
<input type="checkbox"/>	Foreign Countries Visited	18	19	NA	NA
<input type="checkbox"/>	Selective Service Record	20 a-b	17 a-b	NA	12 a-b
<input type="checkbox"/>	Military Record	19	NA	NA	NA
<input type="checkbox"/>	Employment Record	22	12	NA	NA
<input type="checkbox"/>	Police Record	23 a-f	20	NA	NA
<input type="checkbox"/>	Medical Record	21	NA	5	NA
<input type="checkbox"/>	Illegal Drugs	24 a-c	21 a-b	3 a-b	14
<input type="checkbox"/>	Alcohol	25	NA	4	NA
<input type="checkbox"/>	Clearance/Access Denied	26 a-b	18 a-b	NA	NA
<input type="checkbox"/>	Financial Record	27 a-d 28 a-b	22 a-b	NA	NA
<input type="checkbox"/>	Court Actions	29	NA	NA	NA
<input type="checkbox"/>	Association Record	30 a-b	NA	NA	NA
<input type="checkbox"/>	Date of Certification	Page 9	Page 7	Page Bottom	Page 5
<input type="checkbox"/>	Date of Release	Page 10	Page 8	Last Page 85P	Page 6

Certification of Agency Official

I certify that the amendments and/or alterations made to the attached investigative document are consistent with the subject's intent and have been made with his/her concurrence. I understand that this form will become part of the investigative file for protection of the Investigations Service, the employing agency, and the subject of investigation.

Full Name (Type or Print Legibly)	Title/Position	SOI Number	SON Number
Signature (Sign in ink)			Date

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Appendix 2



U.S. Department
of Transportation
**Federal Aviation
Administration**

This is a sample letter head
The name of the Official goes on this side

The Address of the facility
goes on this side

Defense Investigative Service
Investigative Files Section
Box 1211
Baltimore, Maryland 20203

Attn: DO960

Dear Sir:

Please conduct the appropriate DCII check(s) on the
individual(s) identified below.

NAME

D/POB

SSN

Mail results to:

Attn: [Name of SSE or authorizing official]
Federal Aviation Administration
Investigations Division, ACO-300
800 Independence Avenue, SW.
Washington, DC 20591

1. Purpose Code: 06
2. Accreditation: XE023

Thank you for your cooperation in this matter.

Sincerely,

Personnel Security
Specialists Name



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: **ACTION:** Request for interim
suitability determination

Date:

From: [Title, Organization, Routing
Symbol]

Reply to
Attn. of:

To: [SSE NAME], [SSE Title,
Organization, Routing Symbol]

Request (an) interim suitability determination(s) on the below listed applicant contractor employee(s) to begin work under FAA [specify contract, purchase order, agreement, etc., by title and number] on [specify date] in accordance with FAA order 1600.1D, appendix 9, paragraph 8() [specify applicable subparagraph]. [Provide a clear and compelling reason for the work or services to begin prior to completion of the required security screening.]

NAME

SSN

POSITION

LOCATION

[Must identify each contractor by name and SSN and must include the position risk or sensitivity level, position title, and duty location. If the position requires a security clearance and/or AIS access, must identify the level of security clearance and/or AIS access required.]

[Operating Office, COTR,
LMS, or RECO]

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Appendix 2



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: Contractor Interim Suitability
Determination - [Applicant's
Name/SSN or attach list]

Date:

From: Personnel Security Specialist

Reply to
Attn. of:

To: CO/LMS/RECO NAME, Routing Symbol,
& Contract ID (if known)

_____ A preliminary review has been completed and this applicant can start work. This does **not** constitute a security clearance and the applicant is **not** eligible for access to classified national security information. AIS access authorization: Level _____.

You will be notified when the investigative requirements are completed and a final suitability determination is made.

_____ The applicant failed to submit the investigative forms within the prescribed time frame. This applicant is no longer being considered.

_____ Due to questionable information developed during the preliminary review, the applicant is no longer being considered.

_____ Due to questionable information developed during the background investigation, the request for suitability is being denied. The applicant must be removed from the FAA [**contract/purchase order/agreement**].

Personnel Security
Specialist's Name



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: Contractor Final Suitability
Determination - [Applicant's
Name/SSN]

Date:

From: Personnel Security Specialist

Reply to
Attn. of:

To: CO/RECO/LMS NAME, Routing Symbol,
& Contract ID (if known)

The SSE has favorably adjudicated the above-mentioned individual's background investigation.

INVESTIGATION COMPLETED on [Enter OPM completion date].

INVESTIGATION REVIEWED on [Enter date of review].

INVESTIGATION TYPE SSBI BI LBI NACI NACIC other.
(specify below)

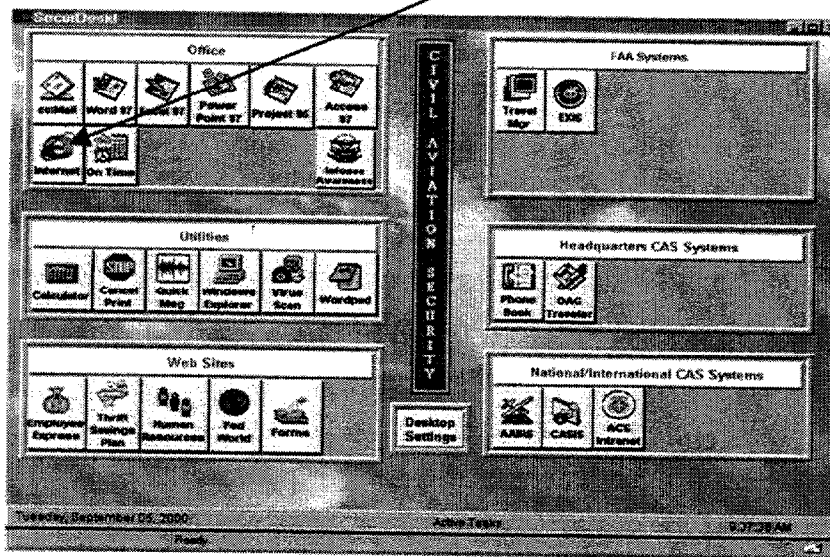
If this position requires access to an FAA AIS system, the above-mentioned individual(s) is/are authorized access at the _____ level.

Personnel Security
Specialist's Name

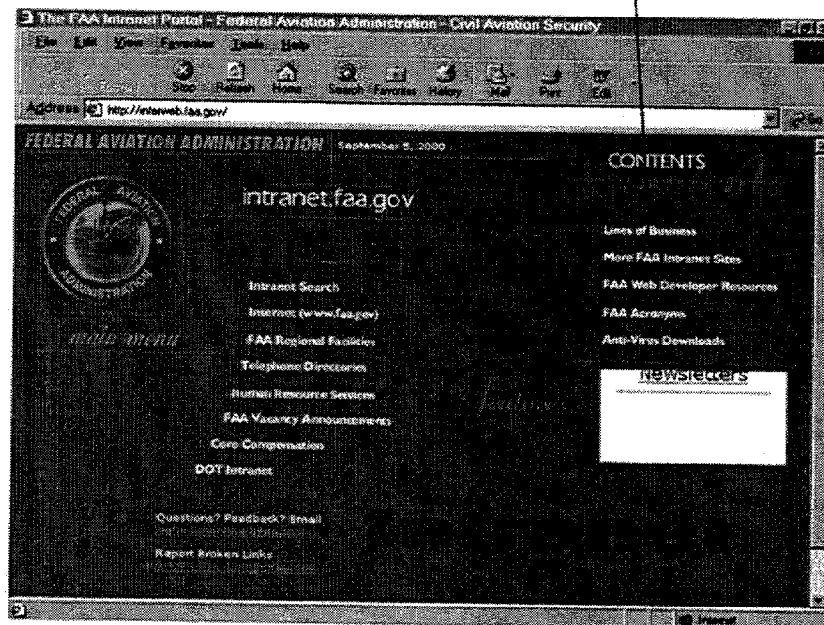
Section 3, Instructions for downloading FAA Form 1600-77 from the AMS.

FAA Form 1600-77 can be downloaded from the AMS and saved as an MS Word *template*. The following are the instructions:

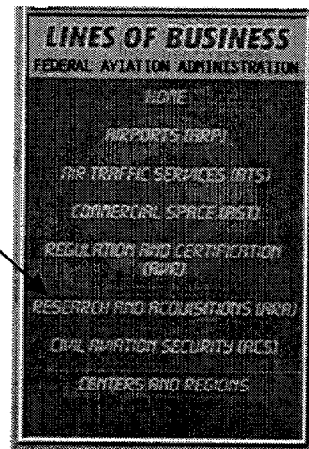
- a. From your secure desk screen, click on the Internet icon.



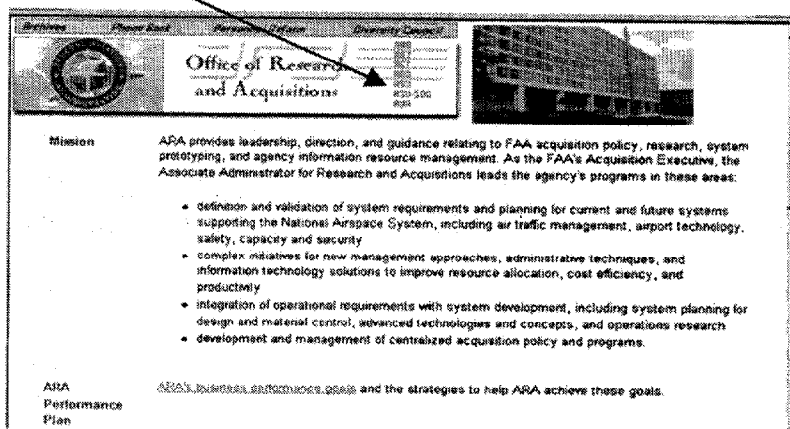
- b. At the FAA intranet portal screen, click on "Lines of Business."



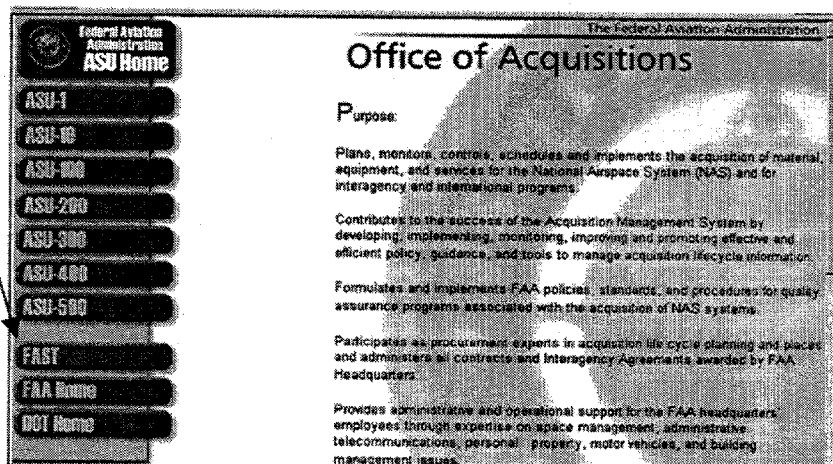
c. Click on "Research & Acquisitions (ARA)."



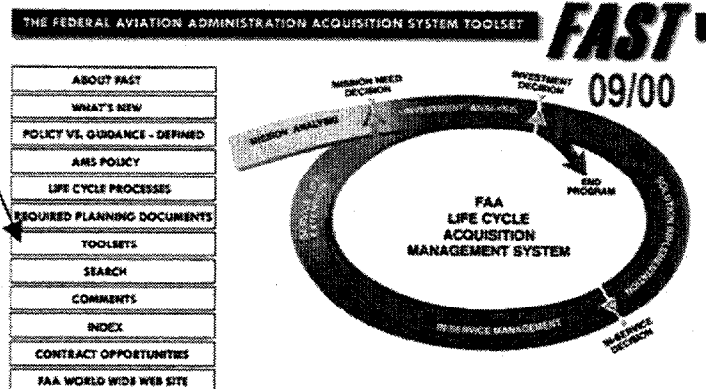
d. Click on "ASU" (note: this will be in very small print in a list at the top of your screen).



e. Click on "FAST."



f. Click on "Toolsets."



g. Click on "Procurement Toolbox."

FAST HOME | HELP | WHAT'S NEW | COMMENTS | SEARCH

GUIDANCE

Toolsets
(*Italicized items not yet populated*)

<ul style="list-style-type: none"> • <u>Acquire</u> • <u>Acquisition - Overall</u> • <u>Acquisition Lessons Learned</u> • <u>Configuration Management</u> • <u>Configuration Management Policy</u> • <u>Deployment / Installation</u> • <u>Environment / Energy / Safety / Health</u> • <u>Human Factors</u> • <u>Information Technology</u> • <u>In-Service Review / Deployment Readiness</u> • <u>Integrated Logistics Support</u> • <u>Integrated Product Development System</u> • <u>Investment Analysis</u> • <u>Joint Resources Council</u> • <u>Learning System</u> • <u>Lifecycle Roles and Responsibilities</u> 	<ul style="list-style-type: none"> • <u>Metrics</u> • <u>Mission Analysis</u> • <u>Procurement Toolbox</u> (highlighted) • <u>Process Improvement</u> • <u>Quality Assurance</u> • <u>Radio Spectrum Management</u> • <u>Real Property / Facilities</u> • <u>References</u> • <u>Revising AMS and FAST</u> • <u>Risk Management</u> • <u>Security</u> • <u>Software Engineering</u> • <u>Sustainment / Maintenance</u> • <u>System Engineering</u> • <u>Test and Evaluation</u> • <u>Waiver to AMS Policy Guidance</u>
--	--

h. Click on "Procurement Form Templates."

Procurement ToolboxGuidance**Clauses and Prescriptions**

- View Clauses and Prescriptions
- Download Clauses, Prescriptions, and Charters

Delegation of AuthorityContract Writing ToolStatement of Work GeneratorPast Performance Database

Construction & Engineering Database - This link will be activated again soon

FAA Pricing HandbookProcurement Form Templates

i. Scroll to the bottom of the list and click on 1600-77. The form will automatically come up in MS Word as a “read-only” document.

j. Click on “File,” “Save As,” and a “Save As” menu screen will appear.

k. In the “Save As” menu screen, there will be a “Save In” box; click on the down arrow and scroll to the “c:” drive.

l. Click on “Program Files.”

m. Click on “Microsoft Office.”

n. Click on “Templates.”

o. Click on “Other Documents.” This will be the “tab” where the form will be saved and from which the form can be retrieved.

p. In the “File Name” box, enter a new name for your template.

q. In the “Save As Type” box, you can save it as an MS Word document or as a template. Recommend leaving it as an MS Word document.

r. Click “Save.”

s. The form is now a permanent template or document on your computer’s “c:” drive.

t. To access and use the template:

(1) click on the “Start” button on your secure desk screen and scroll up to “New Office Document.” **Do not attempt to access the document using the short cut menu in your computer’s “Start” menu. This will bring up your original template instead of a new, blank template.**

(2) A screen with several tabs will appear; select and click on the “Other Documents” tab.

(3) Double click on your template and it will appear as “Document 1.”

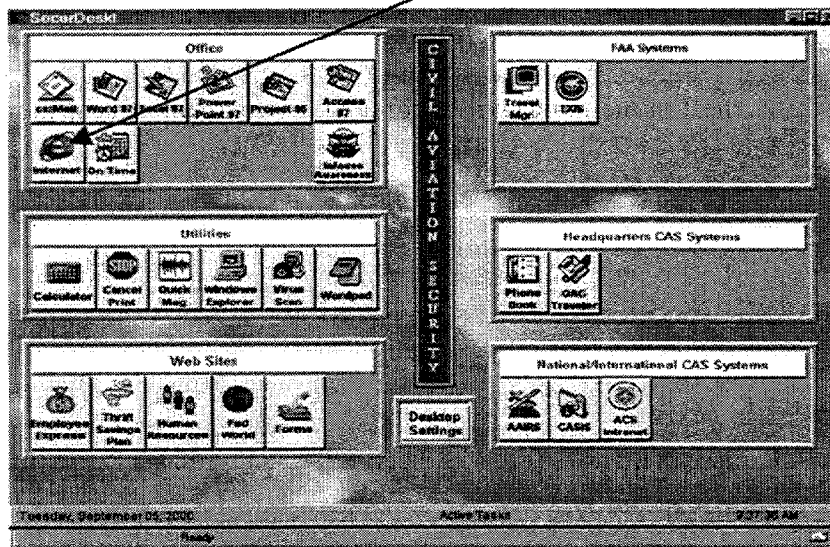
(4) When entering data into the various blocks, **DO NOT** press “Enter.” This will add lines to the box where the cursor is and throw off the form. To move from line to line and box to box, use the arrow keys.

(5) **Do not** modify the form other than to enter the required data. This is an official form and is not intended to be modified.

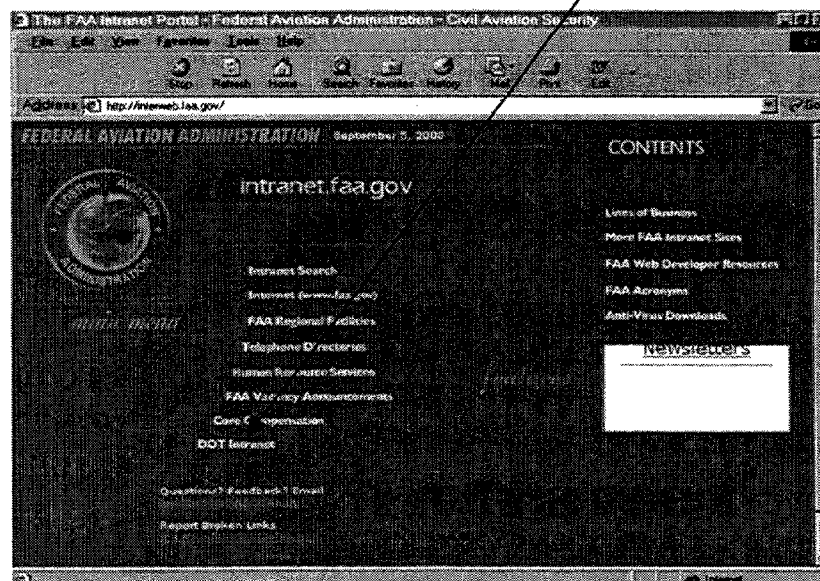
(6) After entering your data, if you want to save your work, click on "File," "Save-As," and give your document a new name. Otherwise, when you exit you do not need to save your changes. Simply click on "No" when prompted.

Section 4, Instructions for accessing DOT Form 1600-14 via the DOT Intranet. DOT Form 1600-14 can be accessed, completed, and printed through the DOT Intranet using the following instructions:

- a. From your secure desk screen, click on the Internet icon.



- b. At the FAA intranet portal screen, click on "DOT Intranet."



c. Click on "Work Tools."

DOTnet
The Internet for the Department of Transportation

September 18, 2000

TOPICS

- News & Events
- DOT Initiatives
- About DOT
- Phone Books
- Employee Services
- Reading Room
- Chat Rooms
- E-Mail Us
- Site Index
- DOT Homepage
- Search
- Power Tools

Passenger Complaints Soar in June

Passengers are increasingly fed up with airline customer service judging by the number of complaints filed with the Department of Transportation. Consumer filed nearly 2,400 complaints about airline service in June, up 41 percent from May and nearly 80 percent higher than in June 1999, according to the last DOT Air Travel Consumer Report.

[FIND OUT MORE!](#)
[ARCHIVE!](#)

FACT OF THE DAY

Accidents are the greatest transportation-related concern of the American Public, followed by the cost of transportation. (Bureau of Transportation Statistics, Omnibus Household Survey Results, August 2000)

[MORE!](#)

ONE DOT Spotlight

Transportation Secretary Rodney E. Slater just released *Safety in Numbers: Using Statistics to Make the Transportation System Safer*, establishing the Bureau of Transportation Statistics (BTS) as the lead agency for improving the quality of transportation safety data, which will help raise the level of transportation safety.

[MORE!](#)

d. Click on "DOT Forms."

DOTnet
The Internet for the Department of Transportation

TOPICS

- News & Events
- DOT Initiatives
- About DOT
- Phone Books
- Employee Services
- Reading Room
- Chat Rooms
- E-Mail Us
- Site Index
- DOT Homepage
- Search
- Power Tools

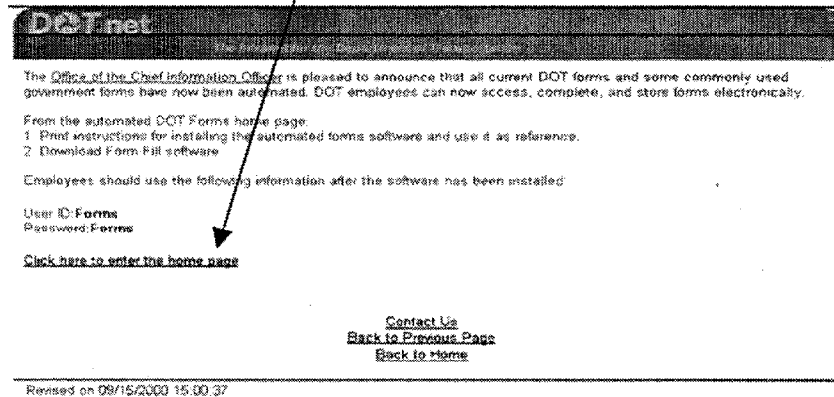
Work Tools

- [What is DOTnet?](#)
- [Electronic Forms](#)
 - [DOT Forms](#)
 - [FAA Forms](#)
- [Travel](#)
- [System Dynamics](#)
- [Transit & Parking Benefit Subsidy](#)
 - [TASC Facilities Service Center](#)
 - [Online Parking Application](#)
- [Useful links](#)
 - [Federal Register](#)
 - [FedStat](#)
 - [FedTravel.com](#)
 - [GSA Travel and Transportation](#)

[Contact Us](#)
[Back to Home](#)

Revised on 09/15/2000 09:58:32

- e. Click on, "[Click here to enter the home page.](#)"

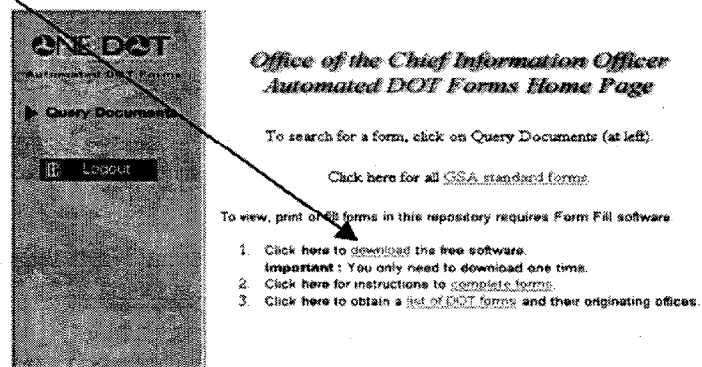


- f. Type in the user name specified (this is preset and on the screen).

- g. Type in the password (this is also preset and on the screen).

- h. Press "Enter," or click on "Login."

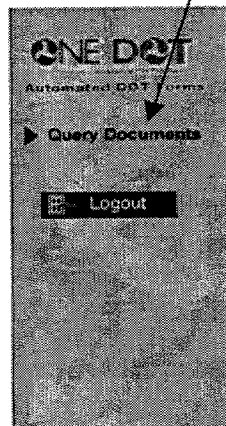
- i. Before you can access and view any of the forms, you may need to download a form viewer. To begin the download process, click on item #1, the blue word "[download.](#)"



j. Follow the step-by-step instructions carefully. You should print the instructions to insure you have the most current version.

k. Once you have completed the download procedures, re-enter the DOT Intranet following steps a through h.

1. Click on "Query Documents."



*Office of the Chief Information Officer
Automated DOT Forms Home Page*

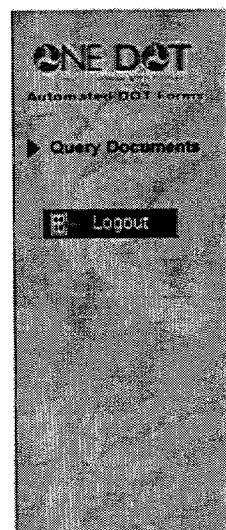
To search for a form, click on Query Documents (at left)


Click here for all [GSA standard forms](#).

To view, print or fill forms in this repository requires Form Fill software.



1. Click here to [download](#) the free software.
- Important:** You only need to download one time.
2. Click here for instructions to [complete forms](#).
3. Click here to obtain a [list of DOT forms](#) and their originating offices.

- m. Click on the arrow in the "Form" block and select the desired form or type in a portion of the form title in the "Form Description" block.

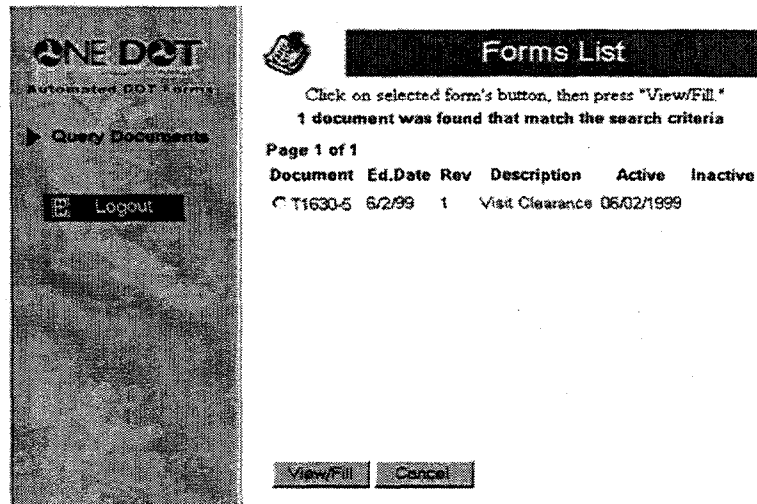


 **Query Forms**

Press Search. (Enter search criteria to retrieve selected forms.)

	Form Number	<input type="text"/>
	Form Description	<input type="text"/>

n. Press "Enter" or click on "Search." Your search selection will appear on the screen. Click on the dot next to the form and press "View/Fill," and begin entering the data electronically or print the form for a hard copy.



The screenshot displays a web interface for "ONE DOT Automated DD Forms". On the left is a sidebar with a "Query Documents" link and a "Logout" button. The main content area is titled "Forms List" and includes instructions: "Click on selected form's button, then press 'View/Fill.'" It states "1 document was found that match the search criteria" and "Page 1 of 1". Below this is a table with columns: Document, Ed.Date, Rev, Description, Active, and Inactive. A single row is listed with the document ID "CT1630-5", date "6/2/99", revision "1", description "Visit Clearance", and dates "06/02/1999". At the bottom of the table are "View/Fill" and "Cancel" buttons.

Document	Ed.Date	Rev	Description	Active	Inactive
CT1630-5	6/2/99	1	Visit Clearance	06/02/1999	

APPENDIX 3. PREPARATION OF DD FORM 254

1. **General.** This appendix contains instructions for preparation of DD Form 254, "Contract Security Classification Specification," for classified contracts as extracted from the National Industrial Security Program Operating Manual (NISPOM). Although this form is *not* completed by the SSE, he or she must review the information, ensure it is accurate and appropriate, and then sign it. The information provided here is designed to familiarize SSE's with the requirements and their responsibilities regarding the DD 254.

The DD Form 254 was designed for a User Agency to provide a contractor with the security requirements and classification guidance needed for performance of a classified contract. When properly completed, it will contain information concerning the most common situations that occur in a classified contract. It will have to be adapted as necessary for contracting situations that may not be covered by the form. When a contractor will require access to certain types of classified information, for example Communications Security (COMSEC), North Atlantic Treaty Organization (NATO), Special Access Program, or Intelligence, the program manager, and contracting officer, logistics management specialist, or real estate contracting officer, must obtain assistance from the SSE. SSE's will assist in verifying a contractor's facility clearance and safeguarding capability.

2. **Preparing the DD Form 254.** The following information corresponds to the items on the DD Form 254. An explanation and other pertinent information are provided for each item on the DD Form 254.

Item 1. Clearance and Safeguarding.

In Item **1a**, insert the highest level of facility clearance required by the contractor for performance of the contract. Use only the words **TOP SECRET, SECRET, or CONFIDENTIAL**. Special caveats such as RESTRICTED DATA, FORMERLY RESTRICTED DATA, COMSEC INFORMATION, etc., are not appropriate in this Item. The contractor must have a valid facility clearance at least as high as the classification indicated in this Item.

In Item **1b**, insert the highest level of safeguarding capability required by the contractor for performance of the contract. The classification level shown in **1b** may not be higher than that shown in **1a**. If the contractor will not possess classified information at the cleared facility in performing the contract, enter "Not Applicable" (N/A) or "None."

1. CLEARANCE AND SAFEGUARDING	
a.	FACILITY CLEARANCE REQUIRED
b.	LEVEL OF SAFEGUARDING REQUIRED

Item 2. This Specification Is For:

Enter prime contract number in **2a** unless it is a solicitation, in which case, see Item **2c**. If this DD 254 is a solicitation, then enter "X" in this block.

Insert "X" for the subcontract number in **2b**. This block is only used by prime contractors for subcontractors.

Insert "X" in **2c** unless this is a solicitation or research and development effort, in which case you should enter an appropriate identification number. Enter the due date if this is a solicitation.

2. THIS SPECIFICATION IS FOR: (X and complete as applicable)	
a. PRIME CONTRACT NUMBER	
b. SUBCONTRACT NUMBER	
c. SOLICITATION OR OTHER NUMBER	Due Date (YYMMDD)

Item 3. This Specification Is:

When the original DD Form 254 is issued, insert "X" in **3a** and enter date. The date of the original will appear unchanged on each revised or final DD 254 issued there after. Item **3a** applies when a solicitation is issued and when the subcontract is awarded.

When a revised DD 254 is issued, insert "X" in **3b**, show revision number and enter date of revision. Each time a revision is issued, it shall be given a sequential revision number.

At the end of a contract, a final DD 254 must be issued. Insert "X" in **3c** and enter the date. If a final DD 254 is issued, Item **5** is always marked "Yes."

3. THIS SPECIFICATION IS FOR: (X and complete as applicable)		
a. ORIGINAL (Complete date in all cases)		Due Date (YYMMDD)
b. REVISED (Supersedes all previous specs.)	Revision No.	Due Date (YYMMDD)
c. FINAL (Complete Item 5 in all cases)		Due Date (YYMMDD)

Item 4. Is this a Follow-on Contract?

This Item pertains to follow-on contracts. The contract must be to the same contractor for the same item or service as the preceding contract. When these conditions exist, enter an "X" in the "YES" box, and enter the preceding contract number in the space provided. This Item authorizes the contractor to transfer classified material

received or generated under the preceding contract to the current contract. It is assumed that the contractor will require access to the same information for performance of the follow-on contract as was required for the previous contract.

If this is not a follow-on contract, enter an "X" in the "NO" box.

4. IS THIS A FOLLOW-ON CONTRACT?	<input type="checkbox"/> Yes	<input type="checkbox"/> No. If Yes, complete the following:
Classified material received or generated under _____ (Preceding Contract Number) is transferred to the follow-on contract.		

Item 5. Is This A Final DD 254?

If a final DD Form 254 is being issued, enter an "X" in the "YES" box, the date of the contractor's request for retention of classified material and the authorized period of retention in the spaces provided. You are the decision-maker regarding the authority to allow the contractor to retain classified material. Therefore, if you do not want the contractor to retain the classified material enter "**No Authorized**" in the space provided at the end of the box.

If this is not a final, enter an "X" in the "NO" box.

5. IS THIS A FINAL DD FORM 254?	<input type="checkbox"/> Yes	<input type="checkbox"/> No. If Yes, complete the following:
In response to the contractor's request dated _____, retention of the identified classified material is authorized for the period of _____.		

Item 6. Contractor.

Item 6 is used by the FAA when issuing the prime contract.

You must provide the name and address, to include zip code, of the contractor in box 6a.

The SSE will assist in providing the Cage Code (box 6b) and Cognizant Security Office (CSO) data (box 6c). It should be noted that CSO will always be the Director of Industrial Security for DSS who has industrial security jurisdiction over the geographical area in which the contract is located. If the FAA will retain inspection rights (SAP/SCI contracts), then the FAA will be identified in box 15 as discussed below. Conduct of inspections by the FAA does not affect the CSO designation and does not relieve the FAA of the responsibility of providing a copy of the DD Form 254 to the CSO.

6. CONTRACTOR (Include Commercial and Government Entity (CAGE) Code)		
a. NAME, ADDRESS, AND ZIP CODE	b. CAGE CODE	c. COGNIZANT SECURITY OFFICE (Name, Address, Zip Code)

Item 7. Subcontractor.

This is the responsibility of the prime contractor and must be completed by the prime contractor when a subcontract is issued.

However, project managers and/or CO's/LMS's/RECO's will be notified of the use of a subcontractor when the prime contractor identifies them in Item 17d. It is recommended that specific security guidance be provided as discussed in Item 13. Specifically, prime contractors are not authorized to use subcontractors without the express approval of the FAA.

7. CONTRACTOR		
a. NAME, ADDRESS, AND ZIP CODE	b. CAGE CODE	c. COGNIZANT SECURITY OFFICE (Name, Address, Zip Code)

Item 8. Actual Performance.

This Item will be completed when the contractor's work is performed at a location other than the contractor's prime location. For example, the contract may be let to a company based in Chicago but the work will be performed in El Paso.

The information for Items 8a, b, and c, however, is completed as discussed for Item 6 on the DD Form 254.

8. ACTUAL PERFORMANCE		
a. NAME, ADDRESS, AND ZIP CODE	b. CAGE CODE	c. COGNIZANT SECURITY OFFICE (Name, Address, Zip Code)

Item 9. General Identification Of This Procurement.

Enter a short, concise, and *unclassified* description of the procurement action in this block. This may be Services, Study, Research, Development, Production, etc. For example, "information systems security assessment services."

If there is doubt regarding the classification of the description, contact the SSE for assistance and treat the information as classified until a determination is made.

9. GENERAL IDENTIFICATION OF THIS PROCUREMENT

Item 10. This Contract Will Require Access To:

These items are marked "YES" or "NO" according to the requirements of each contract. An explanation of each item follows this illustration.

10. THIS CONTRACT WILL REQUIRE ACCESS TO:	YES	NO
a. COMMUNICATIONS SECURITY (COMSEC) INFORMATION		
b. RESTRICTED AREA		
c. CRITICAL NUCLEAR WEAPON DESIGN INFORMATION		
d. FORMERLY RESTRICTED DATA		
e. INTELLIGENCE INFORMATION		
(1) Sensitive Compartmented Information (SCI)		
(2) Non-SCI		
f. SPECIAL ACCESS INFORMATION		
g. NATO INFORMATION		
h. FOREIGN GOVERNMENT INFORMATION		
i. LIMITED DISSEMINATION INFORMATION		
j. FOR OFFICIAL USE ONLY INFORMATION		
k. OTHER (Specify)		

Box 10.a. Communications Security (COMSEC) Information. If the contractor will require access to any COMSEC information, enter an "X" in the "YES" box. COMSEC information includes accountable or non-accountable COMSEC information and controlled cryptographic items (CCI). If accountable COMSEC information is involved, the contractor must have a COMSEC account and Item 11h (below) would be marked "YES." An "X" in the "YES" box imposes the requirements of the COMSEC Supplement to the NISPOM on the contractor for safeguarding the COMSEC information. Access to any COMSEC information requires special briefings at the contractor facility. Access to classified COMSEC information requires a final US Government clearance at the appropriate level.

Boxes 10.b., c, and d. It is highly unlikely these boxes will ever be marked "YES," since this is information which is classified and controlled under the Atomic Energy Act of 1954, or CRITICAL NUCLEAR WEAPON DESIGN INFORMATION (CNWDI), is required.

Box 10.e.(1 and 2) Intelligence Information.

Intelligence Information is under the jurisdiction and control of the Director of Central Intelligence (DCI) and is circulated within the Intelligence Community. If Intelligence Information is involved in an FAA contract, the SSE is responsible for ensuring that the additional security requirements outlined in various DCI Directives are incorporated in the guidance provided to the contractor and are tailored to the performance requirements of the contract. It should be noted that the contractor is responsible for incorporating the additional security requirements in any subcontract document itself or in Item 13. The CSO does not conduct security inspections for SENSITIVE COMPARTMENTED INFORMATION (SCI) but is responsible for inspections of non-SCI in the possession of a subcontractor. If access to SCI is required, Item 10e(1) and Items 14 and 15 would always be marked "YES."

If access to non-SCI is required, Item 10e(2) would be marked "YES," Item 14 would be marked "YES," and Item 15 would be marked "NO."

In some cases, 10e(1) and (2) will both be marked "YES," Item 14 marked "YES," and Item 15 completed as appropriate. Access to intelligence information requires a final U.S. Government clearance at the appropriate level.

Box 10.f. Special Access Program (SAP) Information. Should the FAA implement a SAP, it would have to be approved by the Administrator with security oversight provided directly by Associate Administrator for Civil Aviation Security (ACS-1). When SAP information is involved, the FAA is responsible for providing the contractor with the additional requirements needed to ensure adequate protection of the information. The contractor is responsible for incorporating the additional security requirements in the subcontract document itself or in Item 13. When this Item is marked "YES," Item 14 would be marked "YES," and Item 15 should be completed as appropriate. (Some SAP's qualify as carve-outs, but not all.) Access to SAP information requires a final US Government clearance at the appropriate level and special briefings.

Box 10.g. NATO Information. This means information/documents belonging, to and circulated by, NATO. Access to NATO information requires a final U.S. Government clearance at the appropriate level and special briefings.

Box 10.h. Foreign Government Information. This Item includes any foreign government information except NATO. Access to classified foreign government information requires a final US Government clearance at the appropriate level.

Box 10.i. Limited Dissemination Information (LIMDIS). This means restrictive controls established by an original classification authority to emphasize need-to-know protective measures available within the regular security system. Contracts which involve LIMDIS controls do not qualify for carve-out status. When this Item is marked "YES," Item 14 would be marked "YES," and Item 15 marked "NO."

10.j. For Official Use Only Information (FOUO). This Item is applicable only in a classified contract that interfaces with DOD activities, missions or support. When this Item is marked "YES," the FAA is responsible for providing the contractor with the safeguards necessary for protection of the information. The contractor is responsible for incorporating those safeguards in the subcontract. Should there be a requirement for FOUO, SSE's will provide special guidance as required.

Box 10.k. Other. Use this Item for any other information not included in 10a through j. Specify the type of information and include any additional remarks needed in Item 13.

Item 11. In Performing This Contract, The Contractor Will:

These items are marked "YES" or "NO" according to the requirements of each contract. An explanation of each item follows this illustration.

11. IN PERFORMING THIS CONTRACT, THE CONTRACTOR WILL	YES	NO
a. HAVE ACCESS TO CLASSIFIED INFORMATION ONLY AT ANOTHER CONTRACTOR'S FACILITY OR A GOVERNMENT FACILITY		
b. RECEIVE CLASSIFIED DOCUMENTS ONLY		
c. RECEIVE AND GENERATE CLASSIFIED MATERIAL		
d. FABRICATE, MODIFY, OR STORE CLASSIFIED HARDWARE		
e. PERFORM SERVICES ONLY		
f. HAVE ACCESS TO US CLASSIFIED INFORMATION OUTSIDE THE US, PUERTO RICO, US POSSESSIONS, AND TRUST TERRITORIES		
g. BE AUTHORIZED TO USE THE SERVICES OF DEFENSE TECHNICAL INFORMATION CENTER (DTIC) OR OTHER SECONDARY DISTRIBUTION CENTER		
h. REQUIRE A COMSEC ACCOUNT		
i. HAVE TEMPEST REQUIREMENTS		
j. HAVE OPERATION SECURITY (OPSEC) REQUIREMENTS		
k. BE AUTHORIZED TO USE THE DEFENSE COURIER SERVICE		
l. OTHER (Specify)		

Box 11.a. Have access to classified information only at another contractor's facility or a Government Activity. Note the word *only*. This means that there will be no access to classified information at the contractor's facility. The contractor will not be required to have any safeguarding capability at its facility and Item 11b would be marked "N/A" or "None." If the "YES" box is marked for this Item, add the following annotation in Item 13: "Contract performance is restricted to [enter name and address of contractor facility(ies) or government activity]."

Box 11.b. Receive classified documents only. Note the word *only*. This means the contractor will receive classified documents but is not expected to generate classified information that will require detailed guidance. The classification markings shown on the documents received will provide the classification guidance necessary. Add the following annotation in Item 13: "Any classified information generated in performance of this subcontract shall be classified according to the markings shown on the source material."

Box 11.c. Receive and generate classified material. This means the contractor is expected to receive and generate classified material (documents and/or hardware) and will require detailed security classification guidance for performance of the subcontract. If the "YES" box is marked for this item, detailed security classification guidance must be provided to the contractor. The guidance may be included in Item 13, attached to the DD Form 254, forwarded under separate cover, or included in the subcontract document itself. Statements, as appropriate, shall be included in Item 13 to direct the contractor to the guidance for the contract.

Box 11.d. Fabricate, modify, or store classified hardware. If **"YES,"** include as much information as possible (additional information can be added in Item **13**) to indicate if Restricted or Closed Areas will be required. How much hardware is involved? How large? If more than two cubic feet of storage is required, request the SSE contact the CSO to verify storage capability exists at the contract facility.

Box 11.e. Perform services only.

"YES" in this Item will require a statement in Item **13** to explain the services and to provide appropriate guidance. Sample statements are given below. For service-type contracts not covered, add any appropriate statement in Item **13** that explains why the contract is a classified contract and provide guidance as necessary to ensure protection of the classified information.

If Graphic Arts Services, add the following statement in Item **13**:
"Reproduction services only. Classification markings on the material to be reproduced will provide the classification guidance necessary for performance of this subcontract."

If Engineering Services, add the following statement in Item **13**: **"Contract is for engineering services. Classification markings on the material to be furnished will provide the classification guidance necessary for performance of this subcontract."**

If Equipment Maintenance Services, add the following statement in Item **13**:
"Contract is for equipment maintenance services on equipment which process classified information. Actual knowledge, generation, or production of classified information is not required for performance of this contract. Cleared personnel are required to perform this service because access to classified information cannot be precluded by escorting personnel. Any classification guidance needed will be provided by the Service."

If Guard Services, add the following statement in Item **13**: **"Contract is for Guard services. Cleared personnel are required by the NISPOM to provide supplemental controls."**

Box 11.f. Have access to US classified information outside the US, Puerto Rico, US Possessions and Trust Territories. If **"YES,"** indicate city and country of overseas performance in Item **13**. Item **14** may be **"YES"** and should be completed if appropriate. A copy of the DD Form 254 must be provided to the US activity responsible for overseas security administration.

Box 11.g. Be authorized to use the services of Defense Technical Information Center (DTIC) or other secondary distribution center. **"YES"** in this Item means the contractor is authorized to use the services of DTIC and will require any subcontractor to prepare and process a DD Form 1540 and DD Form 1541 through the prime contractor.

Box 11.h. Require a COMSEC account. If accountable COMSEC information will be provided to the contractor, enter an "X" in the "YES" box. If non-accountable COMSEC information is involved, enter an "X" in the "NO" box.

Box 11.i. Have TEMPEST requirements. Prior approval of the SSE is required before imposing TEMPEST requirements on a contractor. TEMPEST requirements are in addition to the requirements of the NISPOM. If "YES" in this Item, Item 14 must also be "YES" and the pertinent contract clauses identified or appropriate information added in Item 13.

Box 11.j. Have Operations Security (OPSEC) requirements. Prior approval of the SSE is required before imposing any OPSEC requirements on a contractor. OPSEC requirements are in addition to the requirements of the NISPOM. If "YES" in this Item, Item 14 must also be "YES" and the pertinent subcontract clauses identified or appropriate information added in Item 13.

Box 11.k. Be authorized to use the Defense Courier Service (DCS). This Item authorizes the contractor to use the services of DCS. Only certain classified information qualifies for shipment by DCS. It is the responsibility of the Service to comply with DCS policy for qualified shipments when approving use of the services of DCS.

Box 11.l. Other (Specify). Use this Item to add any additional performance requirements not covered above. The performance requirements listed above are included as part of the form because they are common situations that occur in classified contracts. If they are not applicable to the contract requirements, indicate "NO" for all of them, add in Item 11.l: "See Item 13," and include appropriate statements in Item 13.

Item 12. Public Release.

The contractor is responsible for obtaining the approval of the prime contractor and the Service prior to release of any information under the contract, except for certain types of information authorized by the NISPOM. Complete this Item as necessary to direct the contractor to the SSE should they desire coordination and approval for public releases.

12. PUBLIC RELEASE. Any information (classified or unclassified) pertaining to this contract shall not be released for public dissemination except as provided by this Industrial Security Manual or unless it has been approved for public release by appropriate US Government authority. Proposed public releases shall be submitted for approval prior to release

☐ Direct

☐ Through (Specify)

to the Directorate for Freedom of Information and Security Review, Office of the Assistant Secretary of Defense (Public Affairs)* for review.

* In the case of non-DOD Agencies, requests for disclosure shall be submitted to that agency.

Item 13. Security Guidance. This is the most important part of the entire DD Form 254.

In completing this Item, ask yourself the following questions:

A. What classified information will the contractor need in the performance of this contract?

B. Guidance.

1. What guidance will the contractor need to protect the classified information?

2. Is the guidance in the prime contract DD Form 254 adequate?

3. Are there other guides which may provide guidance that will assist the contractor?

C. Hardware.

1. Will classified hardware be furnished to or generated by the contractor?

2. What information makes the hardware classified?

3. Will hardware being generated require classification?

4. At what stage in its production does it become classified?

5. What unique characteristics are involved that need protection?

6. Are there design features which require protection?

7. What technical information requires protection?

8. What breakthroughs would be significant if achieved in an R&D effort?

9. Are there some performance limitations that require protection?

D. These are merely some of the questions that should be asked when preparing guidance for a contract. Put yourself in the contractor's place and try to determine what guidance will be needed to properly protect the classified information that will be furnished or generated under the contract.

E. Use this Item to identify applicable guides, to provide narrative guidance which identifies the specific types of information to be classified, to provide appropriate downgrading or declassification instructions, to provide any special instructions, explanations, comments or statements required for information or to clarify any other items identified in the DD Form 254. Each contract is unique in its performance requirements. Don't try to follow a format or provide all the guidance in this Item. Give reasons for the classification. Write the guidance in plain English. Use additional pages as necessary to expand or explain the guidance.

F. The DD Form 254, with its attachments and incorporated references, is the only authorized means for providing security classification guidance to a contractor. It should be written as specifically as possible and it should include only that information that pertains to the contract for which it is issued. It should not contain references to internal directives or instructions. If such documents provide guidance applicable to the contract, the pertinent portions should be extracted and provided as attachments. Any and all documents referenced and/or cited in Item 13 should be provided to the contractor, either as attachments or forwarded under separate cover if they are classified. The requirements of the NISPOM should not be extracted and included in a DD Form 254. The NISPOM provides safeguarding requirements and procedures for classified information, not security classification guidance. Security classification guidance provides detailed information that relates what information requires classification, what level of classification to assign, and the downgrading or declassification instructions that apply to the information or material generated by the subcontractor in the performance of the contract.

G. It is a difficult task to prepare security guidance that covers all of the performance requirements of a classified contract. It is an even more difficult task to prepare guidance that can be understood and implemented by the contractor. Encourage the contractor to assist in the preparation of the guidance, if at all possible, and to provide comments and/or recommendations for changes in the guidance that has been provided. Only through effective communication with the contractor can you achieve guidance that is understandable and ensure the proper classification and protection of the information generated in the performance of the contract.

13. Security Guidance. The security classification guidance needed for the classified effort is identified below. If any difficulty is encountered in applying this guidance or if any other contributing factor indicates a need for changes in this guidance, the contractor is authorized and encouraged to provide recommended changes; to challenge the guidance or the classification assigned to any information or material furnished or generated under this contract; and to submit any questions for interpretation of this guidance to the official identified below. Pending final decision, the information involved shall be handled and protected at the highest level of classification assigned or recommended. (Fill in as appropriate for the classified effort. Attach, or forward under separate correspondence, any documents/guides/extracts referenced herein. Add additional pages as needed to provide complete guidance.)

Item 14. Additional Security Requirements.

This Item applies any time security requirements are imposed on a contractor that are in addition to the requirements of the NISPOM. "YES" in this Item requires the project manager, COTR, or the SSE to incorporate the additional requirements in the contract document itself or to incorporate the additional requirements by statements or reference in Item 13. Attendant costs incurred due to additional security requirements are subject to negotiation by, and reimbursement to, the contractor and are the responsibility of the FAA activity that imposed the additional requirements in the contract. Approval of the SSE is required prior to imposing additional security requirements on a contractor. A copy of the additional security requirements shall be provided to the CSO.

14. Additional Security Requirements. Requirements, in addition to ISM requirements, are established for this contract. <i>(If YES, identify the pertinent contractual clauses in the contract document itself, or provide an appropriate statement which identifies requirements. Provide a copy of the requirements to the cognizant security office. Use Item 13 if additional space is needed.)</i>	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Item 15. Inspections.

This Item applies when the CSO is relieved of inspection responsibility in whole or in part. "YES" in this Item requires the SSE to provide information on the specific areas carved-out and to conduct the inspections. A copy of the DD Form 254 must be provided to the appropriate CSO.

When access to SCI is required (Item 10e(1) is marked "YES"), the following statement shall be added in this Item: **"The [FAA or appropriate Agency or Military Department Senior Intelligence Officer] has exclusive security responsibility for all SCI classified material released or developed under this contract and held within the contractor's SCIF. DSS is relieved of security inspection responsibility for all such material but retains responsibility for all non-SCI classified material released to or developed under this subcontract and held within the contractor's SCIF."**

15. INSPECTIONS Elements of this contract are outside the inspection responsibility of the cognizant security office. <i>(If YES, explain and identify specific areas or elements carved out and the activity responsible for inspection. Use Item 13 if additional space is needed.)</i>	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Item 16. Certification and Signature.

Item 16 shall contain the name, title, telephone number, address, and signature of a designated FAA employee certifying that the security requirements are complete and adequate for performance of the classified contract.

16. CERTIFICATION AND SIGNATURE. Security requirements stated herein are complete and adequate for safeguarding the classified information to be released or generated under this classified effort. All questions shall be referred to the official named below.		
a. TYPED NAME OF CERTIFYING OFFICIAL	b. TITLE	c. TELEPHONE (Include Area Code)
d. ADDRESS (Include Zip Code)		
e. SIGNATURE		

Item 17. Required Distribution.

The DD Form 254 is a contractual document and should be distributed with the contract document to all addressees. It is important that the DD Form 254 be distributed, as a minimum, to those shown in this Item. Other agencies or organizations may be added as necessary.

17. REQUIRED DISTRIBUTION:	
<input type="checkbox"/>	a. CONTRACTOR
<input type="checkbox"/>	b. SUBCONTRACTOR
<input type="checkbox"/>	c. COGNIZANT SECURITY OFFICE FOR PRIME AND SUBCONTRACTOR
<input type="checkbox"/>	d. US ACTIVITY RESPONSIBLE FOR OVERSEAS SECURITY ADMINISTRATION
<input type="checkbox"/>	e. ADMINISTRATIVE CONTRACTING OFFICER
<input type="checkbox"/>	f. OTHERS AS NECESSARY

APPENDIX 4. QUALITY ASSURANCE REVIEW DOCUMENTATION

Section 1. Quality Assurance Review Worksheets.

Section 2. Quality Assurance Review Findings/Recommendations Worksheet.

Section 3. Sample Memorandum, Notification of Proposed Quality Assurance Review.

Section 4. Sample Review Report Format.

Section 1. Quality Assurance Review Worksheets.

**Quality Assurance Review Worksheet
Contractor & Industrial Security Program**

1. Interview the SSE to determine if:

- all contracts, purchase orders, consulting agreements, lease agreements, and MOA's for/with contractor AIS, weapon carrying, fiduciary, air traffic control, and communications positions are reviewed to ensure appropriate security clauses are included [FAA order 1600.1D, appendix 13; FAA order 1600.73, chapter 2];
- at least 20% of all other contracts, purchase orders, consulting agreements, lease agreements, and MOA's are reviewed to ensure appropriate security clauses are included [FAA order 1600.1D, appendix 13; FAA order 1600.73, chapter 2];
- procedures have been established for the review of investigative forms to assure completeness [FAA order 1600.1D, appendix 9, paragraph 6; FAA order 1600.73, chapters 4 and 5];
- follow-up information is collected on issues identified in the investigative forms and issues are resolved prior to approving initial suitability determination requests [FAA order 1600.1D, appendix 9, paragraphs 6 and 8; FAA order 1600.73, chapters 4 and 5];
- required investigations are conducted [FAA order 1600.1D, appendix 9, paragraph 8; FAA order 1600.73, chapter 4];
- whether he or she has any suggestions for improving this process.

Supporting Documentation: Interview notes.

Date of Interview:

Location of Interview:

Are there any findings: ☐ YES ☐ NO

Results of Interview:

Quality Assurance Review Worksheet
Contractor & Industrial Security Program

2. Interview the responsible contracting officer, COTR, LMS, or RECO, or operating office management official to determine if procedures are in place for appropriate escort of all contractor employees exempt from investigative requirements. [FAA order 1600.1D, appendix 9, paragraph 8e; FAA order 1600.73, chapter 4];

Supporting documentation: Interview notes; observation.

Date of Interview:

Location of Interview:

Are there any findings: ☐ YES ☐ NO

Results of Interview/Observation:

Date of Observation:

Location of Observation:

**Quality Assurance Review Worksheet
Contractor & Industrial Security Program**

3. Review all contracts, purchase orders, consulting agreements, lease agreements, and MOA's for/with contractor AIS, weapon carrying, fiduciary, air traffic control, communications, and AIS penetration testing positions at the review site issued during the past fiscal year to ensure appropriate security clauses are included.
[FAA order 1600.1D, appendix 9, paragraph 6; FAA order 1600.73, chapter 2]

Supporting documentation: Worksheet summary notes, identifying each affected contract, including, but not limited to, purchase order, consulting agreement, lease agreement, and MOA.

Date of Review:

Location of Review:

Are there any findings: ☐ YES ☐ NO

Results of Review:

Total Number of Contracts: _____

Total Number Reviewed: _____

Quality Assurance Review Worksheet
Contractor & Industrial Security Program

4. Review the randomly selected contracts, including, but not limited to, purchase orders, consulting agreements, lease agreements, and MOA's at the review site to ensure appropriate security clauses are included. [FAA order 1600.1D, appendix 9, paragraph 6; FAA order 1600.73, chapter 2]

Supporting documentation: Worksheet summary notes, identifying each affected contract, including, but not limited to, purchase order, consulting agreement, lease agreement, and MOA.

Date of Review:

Location of Review:

Are there any findings: YES NO

Results of Review:

Total Number of Contracts:

Total Number Reviewed:

**Quality Assurance Review Worksheet
Contractor & Industrial Security Program**

5. Review the PSF's for the randomly selected contractor employees to verify that security screenings are conducted as required.
 6. Review the electronic data for the randomly selected contractor employees and verify that the investigation level matches the position risk/sensitivity level of the position.
 7. Compare the FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record, for each of the randomly selected contractor employees against the electronic list and verify that the position risk/sensitivity levels match.
- [FAA order 1600.1D, chapter 5, appendix 3, appendix 9, paragraphs 7 and 8, and appendix 13; FAA order 1600.73, chapter 3 and 4]

Supporting documentation: Worksheet summary notes; copies of discrepant forms 1600-77.

Date of Review:

Location of Review:

Are there any findings: ☐ YES ☐ NO

Results of Review:

Total Number of PSF's Reviewed: _____

Total Number of FAA Forms 1600-77 Reviewed: _____

Section 2. Quality Assurance Review Findings/Recommendations Worksheet.

**Quality Assurance Review Findings/Recommendation Worksheet
Contractor & Industrial Security Program**

Site Location:	Reviewer's Name:	Date:
Finding Category:	Discussed with on-site management: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Review Finding(s):		
Recommendation(s):		

Corrective Action(s) taken *(if taken at time of on-site review):*

Best Practice(s) (if applicable):

Section 3. Sample Memorandum, Notification of Proposed Quality Assurance Review.

Appendix 4



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: Notification of Proposed Quality
Assurance Review

Date:

From: Manager, Civil Aviation Security
Division, AXX-700

Reply to
Attn. of:

To: ARC-1 (for regions/centers)
ASU-1 (for headquarters)

The Civil Aviation Security Division, AXX-700, will be conducting a quality assurance review of **[name of office to be reviewed]** on **[proposed date]**.

Please advise **[name of office to be reviewed]** of the review and proposed date and request the following information concerning the review site be provided to this office no later than **[date 30 days prior to proposed review date]**.

1. List of all contracts, purchase orders, consulting agreements, lease agreements, and MOA's for/with contractor AIS, weapon carrying, fiduciary, air traffic control, communications, and AIS penetration testing positions for the past fiscal year.

2. List of all other current *unclassified* contracts, purchase orders, consulting agreements, lease agreements, and MOA's with contractor security requirements.

3. List of all current *classified* contracts, purchase orders, consulting agreements, lease agreements, and MOA's with contractor security requirements.

4. List of all contractor employees, by name and position title.

AXX-700 will provide the name(s) of the reviewer(s) and identify which contracts will be reviewed no later than **[date 15 days prior to proposed review date]**.

11/30/00

1600.73

Appendix 4

2

If you should have any questions, please contact **[name]** on **[telephone number]**.

Jane Doe

Section 4. Sample Review Report Format.

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

**QUALITY ASSURANCE REVIEW OF [ENTER OFFICE NAME(S) AND
LOCATION(S)]**

DATE OF REVIEW: [ENTER DATE(S) OF REVIEW]

DATE OF REPORT: [ENTER DATE REPORT FINALIZED]

REPORT BY: [ENTER DESIGNATION OF REVIEWING OFFICE]

REVIEW SUMMARY:

[A brief narrative summary of the review, including an overall assessment of the office's compliance, a brief statement of primary findings, and highlights of best practices found or *exceptional* support provided by the review office staff.]

Quality Assurance Review
[Identify office reviewed]

1.1 Introduction. [This report documents the results of a quality assurance review conducted on _____. The review was conducted by _____ and included an evaluation of _____'s implementation of the FAA's contractor and industrial security program. Specific areas evaluated were procurement reviews, contractor employee position risk and sensitivity level designations, procedures for investigative forms review, investigative requirements determinations, escort of uncleared contractor employees, and ITS or IPPS data entry. During the on-site review, FAA representatives of the _____ played an integral role in the review process and provided invaluable support and assistance.]

1.2 Purpose. [To provide senior management with concise, candid evaluations of policy and program effectiveness and to inform them of conditions or situations which require their attention or intervention. Security from criminal acts and the human factors important to safety are goals in the FAA's 1996 Strategic Plan. Quality assurance reviews support these goals by ensuring compliance with the laws and regulations governing security to minimize the risk of damage to FAA systems, unauthorized disclosure of sensitive and classified information, and the vulnerability of FAA facilities, resources, and personnel to crime and terrorism.]

1.3 Findings and Recommendations.

[Identify each primary finding individually, state why it is a finding, and state what should have been found. Follow each finding with a recommendation for corrective action and identify the office(s) responsible for taking the corrective action.]

Finding #1:

Recommendation:

Finding #2:

Recommendation:

Finding #3:

Recommendation:

Quality Assurance Review
[Identify office reviewed]

1.4 Corrective action taken:

[Provide a detailed description of any corrective action taken during the on-site review and reference the corresponding primary finding if applicable. Do not identify corrective actions concerning secondary findings.]

1.5 Best practices.

[Identify any best business practices found.]

1.6 Results.

[Identify the impact of these findings, i.e., if the situation(s) or condition(s) are not corrected, what will be the result? This needs to be specific statements regarding each primary finding and an overall broad statement of the impact on FAA's security posture.]



1

2

The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, for the year ending December 31, 1964.



There were 1,234,567 acres of land in the State of California, of which 1,000,000 acres were owned by the State of California, 100,000 acres were owned by the United States, and 134,567 acres were owned by private individuals.



