

**U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250**

DEPARTMENTAL REGULATION	Number: 4600-001
SUBJECT: USDA Personnel Security Clearance Program	DATE: July 2, 2013
	OPI: Office of Homeland Security and Emergency Coordination (OHSEC)

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1. PURPOSE

This Departmental Regulation establishes policies and procedures for the efficient, effective, and consistent management of the personnel security clearance program within all agencies and staff offices of the United States Department of Agriculture (USDA).

2. SCOPE

This regulation applies to all USDA employees, as defined in Executive Order 12968 “Access to Classified Information,” (hereafter, E.O. 12968), and applicants for employment with USDA (referred to hereafter in this regulation as the Department), contractors, guest researchers, collaborators, advisory committee members, students, trainees, non-employee affiliates of the Department, and other persons designated by the Secretary of Agriculture who require access to classified national security information (hereafter, classified information).

3. BACKGROUND

Executive Order 10450, “Security Requirements for Government Employment,”

(hereafter, E.O. 10450) requires Departments and agencies to establish an effective program to ensure that the employment and retention of persons in Federal service is in the interests of national security. Applicable standards are set forth in Title 5, Code of Federal Regulations (CFR), parts 732, "National Security Positions" and 736 "Personnel Investigations." E. O. 12968 establishes a uniform Federal personnel security program for persons who require initial or continued access to classified information.

4. POLICY

- a. The USDA's Office of Homeland Security and Emergency Coordination. Personnel and Document Security Division (PDS), is the sole entity within USDA that may grant access to classified information. No access shall be granted unless the person has a demonstrated, foreseeable need for access to classified information to perform his or her official duties; the required background investigation has been completed and favorably adjudicated; and he or she has signed a classified information non-disclosure agreement. In exceptional circumstances, PDS may grant temporary or "interim" security clearances, consistent with Government regulations and program needs.
- b. OHSEC shall determine an individual is eligible for access to classified information only when the facts and circumstances indicate that access is clearly consistent with the national security interests of the United States. Any doubt shall be resolved in the favor of national security.
- c. USDA shall afford fair, impartial, and equitable treatment to all USDA employees and applicants through consistent application of personnel security standards, criteria, and procedures as specified in applicable laws and regulations. The Department shall not use the denial of access to classified information as a substitute for appropriate adverse suitability determinations or disciplinary actions.
- d. In no event will an individual be given access to classified information prior to that individual being granted a security clearance.
- e. USDA agencies and staff offices have a responsibility to notify OHSEC of any information about any Departmental employee or individual associated with the Department that could adversely affect the individual's initial or continued eligibility to access classified information. OHSEC shall be notified in writing within three business days after the information becomes known.
- f. All persons granted access to classified information must undergo timely periodic reinvestigation(s) for the continuation of their security clearance.

- g. Individuals whose national security clearance has been suspended, revoked, or denied shall not have any access to classified information or perform any duties requiring a security clearance.

5. RESPONSIBILITIES

- a. The Secretary of Agriculture is responsible for ensuring USDA's personnel security clearance program is viable and effectively supports USDA's work with classified national security programs. The Secretary has designated the Director, OHSEC, as the senior USDA official responsible to develop, direct, and administer a Department-wide, comprehensive personnel security clearance program.
- b. Subcabinet Officers and Staff Office Directors are responsible for:
 - (1) Ensuring the implementation of the provisions of this DR, and taking the necessary steps to ensure the achievement of USDA's personnel security objectives within their organizational element(s);
 - (2) Ensuring the number of persons granted access to classified information is based on a clearly articulated, mission-related "need to know" which is necessary to effectively and efficiently carry out USDA program responsibilities;
 - (3) Endorsing by signature any mission-related requests for Sensitive Compartmented Information (SCI) access;
 - (4) Designating Personnel Security Points of Contact to serve as a liaison to PDSO; and
 - (5) Ensuring the timely submission of the forms required for the periodic reinvestigations for all cleared personnel.
- c. Mission Area Human Resource Directors are responsible for:
 - (1) Ensuring the timely submission of personnel security clearance requests for new and existing employees serving in national security positions;
 - (2) Providing written notification to PDSO within three business days of receiving substantiated allegations of misconduct concerning cleared employees;
 - (3) Including security clearance requirements in vacancy announcements and position descriptions when applicable;

- (4) Ensuring all personnel security clearance background investigation forms are transmitted to PDSO via the Office of Personnel Management's Electronic Questionnaires for Investigations Processing (e-QIP) system;
- (5) Notifying PDSO in advance of the resignation, retirement, transfer, or departure of cleared personnel so that appropriate debriefings may occur; and
- (6) Taking appropriate action when a security clearance is suspended, denied, or revoked.

d. Director, OHSEC, is responsible for:

- (1) Directing and administering the USDA personnel security program in accordance with applicable Public Laws, Executive Orders, Federal and USDA regulations;
- (2) Establishing, disseminating, and enforcing the provisions of this DR and relevant DMs;
- (3) Serving as the Deciding Official for the suspension, denial, or revocation, of security clearances for USDA personnel;
- (4) Approving requests for SCI access; and
- (5) Serving as the liaison official to the Central Intelligence Agency, Department of Homeland Security, Federal Bureau of Investigation, Office of Management and Budget, and Office of Personnel Management on matters which involve the Department's personnel security program.

e. Chief Information Officer (CIO) is responsible for:

- (1) Coordinating with PDSO to support all Information Technology-related personnel security requirements, to include security of Information Technology (IT) assets and Communications Security;
- (2) Ensuring that corresponding IT policy is developed to support the implementation of DR and DM 4600-001, including cross -references to PDSO guidance and policy documents; and
- (3) Incorporating, where appropriate, applicable USDA personnel security policies and procedures in USDA policy and standards for IT system protection.

f. Office of General Counsel is responsible for:

- (1) Providing advice and assistance to ensure the implementation of USDA's personnel security program and related activities are in accordance with Federal laws, regulations, and USDA directives;
 - (2) Serving in an advisory role to OHSEC concerning personnel security matters.
- g. PDSD is responsible for implementing E.O. 12968, E.O. 10450, DM 4600-001, DR 4600-002, "Procedures for Denial or Revocation for Access to National Security Information," and this DR. This includes:
- (1) Day-to-day management of the Department's personnel security program;
 - (2) Issuing and updating Department-wide policies and procedures;
 - (3) Maintaining USDA's repository of electronic and hard copy personnel security files, to include the Security Entry and Tracking System;
 - (4) Reviewing responses to Freedom of Information Act action requests when classified information concerning personnel security is involved and the organizational element decides a record will be neither confirmed nor denied; and
 - (5) Certifying security clearance information to other government agencies, companies, and other private entities in support of classified visits by USDA cleared personnel.
- h. Personnel Security Review Board is responsible for hearing employee appeals concerning OHSEC decisions to revoke or deny access to classified information and rendering final agency decisions, in accordance with DR 4600-002.
- i. Office of Procurement and Property Management is responsible for:
- (1) Issuing guidance regarding USDA contracts requiring personnel security clearances for handling classified information and/or working with classified systems; and
 - (2) Requiring that all security documentation has been provided to PDSD in writing by the company's security office prior to assigning individuals to the contract.
- j. Employees are responsible for:
- (1) Adhering to the provisions of this regulation and DM 4600-001;

- (2) Providing full cooperation with personnel security staff in association with conducting background investigations and adjudicating the results of unresolved issues;
- (3) Conducting both their business and personal affairs in a manner that does not threaten the loss of their security clearance;
- (4) Advising their supervisor, their organizational element's Personnel Security Point-of-Contact, or PDSD when they become aware of information about any Departmental employee or individual associated with the Department that could adversely affect the individual's eligibility to access classified information; and,
- (5) Reporting all close and continuing contacts with foreign nationals or contact with representatives of foreign countries that is considered threatening or suspicious, when holding a SCI security clearance.

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