

# PDSD Summer Newsletter

Office of Homeland Security & Emergency Coordination (OHSEC) / Personnel & Document Security Division (PDSD)



Most Wanted Items list is available at  
<http://www.capitalareafoodbank.org/wp-content/uploads/2011/10/CAFBMostWantedItems.pdf>



It's Feds Feed Families (FFF) time again! For more information, check it out on Facebook at <https://www.facebook.com/fedsfeedfamilies> or on USDA.gov at <http://www.usda.gov/wps/portal/usda/usdahome?navid=feds-feed-families>

(photo: Valerie Ramirez and Kim Elosser at an event for FFF in 2012)



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## Public Trust Reinvestigations

New regulations requiring a 5 year reinvestigation timeframe for all Public Trust positions became effective on 12/9/11. While the implementation plan with OPM is still pending, PDSD recommends agencies give reinvestigation initiation priority to those individuals in High Risk positions first, followed by Moderate Risk positions. Employees with an approved upcoming retirement date should not be initiated.

Agency POC's can review their reports in webSETS by selecting **Periodic Reinvestigations** under the Reports tab, select their Agency name, select "None" under Clearance Level, and select either 6 (High Risk) or 5 (Mod Risk) from the Risk/Sensitivity Level drop down box. In order to capture old records, set the timeframe dates to begin at 01/01/1980, for example, until 12/31/2013, for example, to capture everyone who will be due by the end of this calendar year.

If you have any questions regarding reinvestigations, contact Brodrick Wilcox at [Brodrick.wilcox@dm.usda.gov](mailto:Brodrick.wilcox@dm.usda.gov).

## Federal Investigations Notices

The Office of Personnel Management (OPM) issues Federal Investigations Notices (FIN) to its customer agencies to inform the agencies of changes in the investigation process, to clarify policy, or to announce upcoming events. You can find the FIN's on OPM's Secure Portal or on their website at <http://www.opm.gov/investigations/background-investigations/federal-investigations-notices/>.

Recent FIN's include the following:

**FIN 13-05:** Discontinuing Acceptance of Hardcopy Requests for Investigations (Must use e-QIP)

**FIN 13-03:** Daily Notifications from OPM (SON's can request daily email reports that show activity on scheduling, fingerprints, and billing)

**FIN 13-01:** Financial Fields for Processing Background Investigations (Use of TAS codes, BETC codes, and Agency Location Code)

If you are not familiar with the recent FIN's, you are encouraged to read and distribute them to all who are responsible for submitting background investigations.

If you process background investigations and you do not have Secure Portal access, please contact Opal Jones at [opal.jones@dm.usda.gov](mailto:opal.jones@dm.usda.gov).

# CNSPB CORNER

Classified National Security Programs Branch (CNSPB)

## Security Clearance Holder Responsibilities

Undoubtedly, everyone is aware of the Edward Snowden case, known as the “NSA Leaker Case”. The Classified National Security Program Branch (CNSPB) wanted to convey to all of us who retain a security clearance what our responsibilities are to protect Classified National Security Information (CNSI).

To those employees and contractors at USDA that retain access to CNSI, we are all bound by the provisions we signed on the Standard Form (SF) 312. This is a binding agreement between you and the United States Government that you will not compromise CNSI. Your signature on that document is your agreement to uphold and protect such information.

Titles 18 and 50 of United States Code are specific and are stated within the SF-312 form that you read and signed prior to receiving access to CNSI at USDA. Title 18 Section 793 specifically focuses on the Gathering, transmitting or losing defense information; Section 794, Gathering or delivering defense information to aid a foreign government; Section 798, Disclosure of classified information; Section 952 Diplomatic codes and correspondence; Section 1924 Unauthorized removal and retention of classified documents or material; Title 50, Section 783 Offenses.

The last time you probably reviewed an SF-312 is when you were provided your indoctrination briefing. That may have been some time ago. Please take the opportunity to review the SF-312. It can be easily found on line <http://www.archives.gov/isoo/security-forms/sf312.pdf>

Please recall the annual refresher training that you all completed towards the end of last year via AgLearn. PDSO is here to support not only your ongoing access to CNSI but to also answer any questions that you might have.

Your security clearance is a privilege, not a right. You are entrusted to keep the sensitive and classified information protected and secure. If you come across any information that is marked Sensitive Security Information, Confidential, Secret or Top Secret that is not appropriately secured, please contact your Information Security Coordinator or PDSO at (202) 720-7373 immediately. Protecting our nation’s secrets is everyone’s responsibility.

### The Whistleblower Protection Enhancement Act of 2012 and Non-Disclosure Agreement notification

The Whistleblower Protection Enhancement Act of 2012 (WPEA) strengthens protections for federal employees who disclose evidence of waste, fraud, or abuse. The WPEA also requires an update to all non-disclosure agreements, including the SF-312, Classified Information Nondisclosure Agreement.

The SF-312 restricts disclosure of classified information and states that failure to adhere to the restrictions in the agreement may result in the termination of a security clearance. While the Office of the Director of National Intelligence is working on updating the SF-312, the law allows agencies to continue to enforce the SF-312 currently in place with the following notice to cleared employees. This statement will be included in the annual refresher training for all clearance holders:

*These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.*

You may read the WPEA at <http://www.govtrack.us/congress/bills/112/s743>.

If you have any questions regarding the SF-312 or the new statement as a result of WPEA, please contact Keith McElfresh at [keith.mcelfresh@dm.usda.gov](mailto:keith.mcelfresh@dm.usda.gov).

**Do you know your Information Security Coordinator?**

**You can find the directory at**

**<http://www.dm.usda.gov/ohsec/pdsd/poc.htm>**

# CNSPB CORNER

Classified National Security Programs Branch (CNSPB)

## Facility Accreditations

Departmental Manual 3440-001, USDA's Classified National Security Information Program Manual, Chapter 5 – Safeguarding, outlines the requirement for accreditation of a secure room. A secure room and/or area is built for the purpose of protecting collateral classified national security information. Secure rooms are used for the storage, processing and discussion of classified national security information.

The DM clearly states that all rooms where classified national security information will be stored, processed, and/or discussed must be accredited by the Classified National Security Programs Branch (CNSPB) prior to any classified activities taking place. Instances where classified activities are being conducted in an unapproved space constitute a security incident.

The process of applying for accreditation is:

- Contact the CNSPB with a request for accreditation. The request should include the activities that will be performed; the level of classification desired; identification of a Site Information Security Coordinator (SISC) who will serve as the responsible party, or manager, for the secure room;
- A site survey will be conducted by the CNSPB which will identify items of concern (i.e., construction issues, sound attenuation issues, approved equipment list) that need to be addressed in order to receive an accreditation;
- Once the items of concern have been addressed or mitigated satisfactorily, a Standard Operating Procedure (SOP) must be sent to the CNSPB for review/approval;
- After the SOP is approved, the accreditation will be issued.

All accredited facilities are subject to annual self-inspections by the owning agency, and also compliance and oversight inspection by the CNSPB. Accreditations are typically issued for a period of 3 years.

For more information about accreditations, contact the CNSPB at (202) 720-7373.

## Passing Clearances

Do you need to have your clearance passed to another agency in order to attend a classified meeting or participate on a task force? If so, then you must to fill out an AD-1189, Request to Pass a Security Clearance form. This form provides PDSD with the information we need to pass your clearance information to another agency.

We use the information provided on the AD-1189 to create a Visit Access Request (VAR) that we fax to the receiving agencies security office. This form lets them know who is coming to their agency, what clearance level they have, how long they will be visiting for, the purpose of your visit, and how to contact our security office. It is important that the form contains as much information regarding the event as possible to ensure proper and timely processing.

If you received an email regarding the event that includes clearance passing instructions from the other agency, please feel free to attach that to your request.

We require all requests to pass a security clearance to be received by PDSD within 48 hours before the scheduled meeting, to allow for internal processing as well as processing by the receiving office. Last minute requests will be handled to the best of our ability. Please be sure to call (202-720-7373) when asking to process a last minute or urgent request.

Request forms should be forwarded to PDSD by fax to 202-720-1689 or email to [pdsd@dm.usda.gov](mailto:pdsd@dm.usda.gov).

You can find the AD-1189 on our website at <http://www.dm.usda.gov/ohsec/pdsd/forms.htm>.

For questions regarding passing a security clearance, contact PDSD at 202-720-7373.

# PERSEC CORNER

## Personnel Security Branch

### Immigration Checks

All foreign-born employees and contractors in the federal government are required to prove that they are legally in the United States. In some cases, legal status in the United States is also verified by the Office of Personnel Management (OPM) for foreign-born spouses or cohabitants.

When processing investigations to OPM in the Electronic Questionnaires for Investigations Processing system (e-QIP), please remember to select “**H**” in block B on the Agency Use Block (AUB) screen if the Subject is foreign-born, and select “**T**” if the spouse or cohabitant is foreign-born so that OPM completes the immigration checks.

If you have any questions about working in e-QIP, please contact Kim Elosser at [kim.ellosser@dm.usda.gov](mailto:kim.ellosser@dm.usda.gov).

### Letter of Inquiry (LOI)

A Letter of Inquiry (LOI) is issued to an individual to address an issue that was developed in their background investigation. Typically, the subject initially receives 15-30 calendar days to provide a response with extensions permitted if justified.

The LOI provides the subject an opportunity to explain and provided additional documentation to mitigate the issue. For example when addressing a financial issue, documentation may include proof of the most recent payment, proof of repayment arrangements with the creditor, or a signed agreement with a debt management program.

When an LOI is issued, the Agency POC is informed; however, they are not informed of the issues addressed in the LOI. This allows the Agency POC to be informed of any delays in the adjudication and to provide assistance as needed, such as updated contact information and follow-up reminders.

If you have any questions regarding any Personnel Security concerns, Please contact Brodrick Wilcox at [Brodrick.wilcox@dm.usda.gov](mailto:Brodrick.wilcox@dm.usda.gov).

## What Forms are Required?

### Initial National Security:

SF-86  
OF-306 (only required for civilians and only when discrepant information exists between the OF-306 and the SF-86)  
Resume (required if new federal civilian employee)  
Fingerprints

### Initial Public Trust:

SF-85P  
OF-306 (required for civilians and limited items required for contractors (questions 1,8,9,10,11,12,13,16, and 17a)  
Resume (required if new federal civilian employee)  
Fingerprints  
Credit Release

### National Security Reinvestigation:

SF-86  
Fingerprints (only if prior classifiable results not obtained)

### Public Trust Reinvestigation:

SF-85P  
Fingerprints  
Credit Release

## Investigation Submission Projections

On a monthly basis, OPM tracks the number of submissions for new investigations, by investigation type (such as ANACI, MBI, BI, and SSBI-PR), that are requested by USDA and matches those submissions against our estimated projections for the fiscal year. As the year progresses, USDA can submit adjustments to our initial projections in order to accurately reflect any changes that have occurred and what workload OPM can expect.

Under the Intelligence Reform and Terrorism Prevention Act (IRTPA), agency projections should be **within 5%** of actual submissions. This is one of the areas USDA is “graded” on by OPM at the end of each fiscal year.

Projections for the next fiscal year are typically requested by OPM at the beginning of the 3<sup>rd</sup> quarter. PDSO submits this information after obtaining the data from each Agency POC.

All agencies should have submitted their **FY14 projections**, by investigation type, per agency, to PDSO already. If you did not, please do so asap. PDSO will require quarterly updates to those projections starting **October 1<sup>st</sup>** and at the beginning of each quarter thereafter. Projections should be sent to Brodrick Wilcox at [Brodrick.wilcox@dm.usda.gov](mailto:Brodrick.wilcox@dm.usda.gov).