



Personnel Security Information Briefing

Contains CUI//SP-PERS
May Contain Sensitive
Information

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Overview



- 10 CFR 710 Update
- Trusted Workforce 2.0 (TW) Implementation Strategy March 2023
- Report of Arrest and Prosecution Background (Rap Back)
- Continuous Vetting (CV) for the Uncleared Workforce
- Transition from 5-Tier to 3-Tier Investigation Model
- Questions



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10 CFR 710

- Since 2017, there are several national policy issuances and internal policy changes that require amending 10 Code of Federal Regulation (CFR) 710, Procedures for Determining Eligibility for Access to Classified Matter and Special Nuclear Material.
- Editorial changes:
 - Replace “his/her” with “their,” where applicable
- Title: Procedures for Determining Eligibility for Access to Classified Matter and Special Nuclear Material
 - Add “or Eligibility to Hold a Sensitive Position” at the end of the title of the regulation
- Purpose:
 - Add “Executive Order (E.O.) 13467 (Reforming Processes Related to Suitability for Government Employment, Fitness for Contractor Employees, and Eligibility for Access to Classified National Security Information)”
 - Add Federal Personnel Vetting Core Doctrine



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- Scope:
 - Add “eligibility to hold a sensitive position”
- Definitions:
 - Add sensitive position definition
 - Add Office of Science, Office of Safety and Security
 - Delete references to Chicago and Oak Ridge
- 710.6 Cooperation by the individuals:
 - Replace “personnel security interviews” with “personnel security consultations”
 - Update terms to reflect correct population for administrative termination (applicants) and administrative withdrawals (incumbents)
- 710.7 Application of the National Security Adjudicative Guidelines:
 - Replace “reports of investigation” with “investigative results report”



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- 710.9 Suspension of access authorization:
 - Update notification requirements of Presidential Policy Directive-19 (PPD-19), Protecting Whistleblowers with Access to Classified Information to apply to contractors. It only applies to Federal employees.
 - Add reference for Security Executive Agent Directive (SEAD) 9, Appellate Review of Retaliation Regarding Security Clearances and Access Determinations.
- 710.21 Notice to the individual:
 - Update notification requirements of PPD-19 to apply to contractors. It only applies to Federal employees.
 - Add reference for SEAD 9, Appellate Review of Retaliation Regarding Security Clearances and Access Determinations.



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- 710.23 Extensions of time by the manager:
 - Propose adding a specific time limit the for the manager to respond to the request from the individual when filing a written request for a hearing.

- 710.31 Reconsideration of access eligibility
 - Propose limiting reconsiderations to 5 years after the 1 year waiting period. Presently, one could submit for reconsideration up to 10 years after they were denied or revoked.

- Appendix A
 - SEAD 4 is being removed from the regulation and will be referenced only as other policies are referenced.



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- Benefits:
 - Policy language between 10 CFR 710 and Department of Energy (DOE) Order 472.2A, Personnel Security, are better aligned, reducing ambiguity between the two policies.
 - DOE will become compliant with PPD-19 and SEAD 9, which will apply to both Federal and Contractor populations.
 - Administrative Review Notification and Suspension letters can be updated to apply to both the Federal and Contractor populations.
 - TW 2.0 will be integrated into the 10 CFR 710.



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Trusted Workforce 2.0 Implementation Strategy March 2023

Policy	Current Target Issue Date	Future Target Issue Date	New Policy Pending
First tranche of implementation guidance, to include clarification of TW 2.0 investigative requirements and concepts such as crosswalk, FAQs, and direction to repository owners.	Jan 2023	Mar 2023 (issued 4-4-23)	No
National Training Standards (National Security Adjudicators).	N/A	Apr 2023	Yes
National Training Standards (Background Investigators).	N/A	Apr 2023	Yes
5 Code of Federal Regulation (CFR) 737, Credentialing.	Mar 2023	June 2023	No
5 CFR 1400 National Security Positions.	Mar 2023	June 2023	No
Second tranche of implementation guidance, to include vetting scenarios, clarification of TW 2.0 investigative requirements and concepts, to include spouse/co-habitant checks, clarification of investigation triggers and actions, intelligence indices checks, National Law Enforcement Telecommunications System checks, and additional FAQs.	Mar 2023	May 2023	No

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Third tranche of implementation guidance, to include trusted information provider policy update and additional FAQs.	Mar 2023	June 2023	No
5 CFR 731, Suitability.	Mar 2023	June 2023	No
Performance Management Implementation Guidance.	N/A	Jul 2023	Yes
Fourth tranche of implementation guidance to include guidance for continuous vetting (CV) for non-sensitive public trust, and additional FAQs.	N/A	Jul 2023	Yes
Fifth tranche of implementation guidance, to include annual vetting appraisal update and additional FAQs (includes a consolidated document containing all relevant policy documentation and guidance).	N/A	Sep 2023	Yes
SEAD 4, National Security Adjudications and other SEAD reviews for any necessary updates.	Sep 2023	Sep 2024	No

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Trusted Workforce 2.0 Implementation Strategy March 2023

2023 Milestones	Current Date	Future Date	New milestone
Review FY 2023 second quarter update to TW 2.0 Implementation Strategy and update agency TW 2.0 Implementation Plan to reflect changes.	Apr 2023	N/A	No
Work with Investigative Service Provider (ISP) to identify and achieve preconditions for non-sensitive public trust continuous vetting enrollments.	N/A	May 2023	Yes
Evaluate shared services and update agency TW 2.0 Implementation Plan with intention to adopt new shared services.	Mar 2023	Jun 2023	No
Senior Implementation Official (SIO) Provide 2023 report on agency TW 2.0 Implementation Plan to PAC Chair.	Jun 2023	Jul 2023	No
Transition to full adoption of eApplication (off e-QIP).	Sep 2023	N/A	No

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<p>Begin enrolling non-sensitive public trust population into TW 1.25 (Revised from previous milestone of Enroll all newly hired individuals in non-sensitive public trust population into CV after initial adjudication).</p>	<p>Sep 2023</p>	<p>Oct 2023</p>	<p>No</p>
<p>Enroll individuals in Rap Back as part of the existing initial vetting process (Revised from previous milestone to clarify removing term “all” to indicate not all individuals must be in Rap Back by Sep 2023 only the those being initially vetted).</p>	<p>Sep 2023</p>	<p>N/A</p>	<p>No</p>
<p>Leverage ISP-managed continuous vetting services for national security sensitive population.</p>	<p>Mar 2023</p>	<p>Dec 2023</p>	<p>No</p>
<p>Integrate Personnel Vetting Engagement Guidelines into workforce annual Training.</p>	<p>Dec 2023</p>	<p>N/A</p>	<p>No</p>

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Trusted Workforce 2.0 Implementation Strategy March 2023 2024-2026 Updates:

- Implement initial vetting
 - March 2025
- (N) Enroll 100% of non-sensitive public trust population into TW 1.25
 - Sep 2024
- (N) Begin enrolling low-risk population in continuous vetting
 - Oct 2024
- Enroll 100% of national security sensitive population in TW 2.0 continuous vetting
 - Sep 2025
- Enroll 100% of non-sensitive public trust population in TW 2.0 continuous vetting
 - Sep 2025
- Enroll 100% of low-risk population in continuous vetting
 - March 2026

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Trusted Workforce 2.0 Implementation Strategy March 2023

Proposed Path Forward: The following are actions that are underway/ongoing by EHSS to enable the Department stakeholders to have the information/knowledge needed to implement TW 2.0 effectively and efficiently in their areas of responsibility:

- DOE is awaiting guidance from Executive Agents to identify and achieve preconditions for non-sensitive public trust continuous vetting enrollments.
- SIO Report - EHSS-53 will work with stakeholder to begin updating the report for EHSS-1's signature. The report is due to EHSS-1 June **(priority)**.
- Rap Back White Paper and DOECAST notification to workforce in final review with General Counsel **(priority)**.



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- DOE is working with the Defense Counterintelligence and Security Agency (DCSA) on the CV in NBIS pilot for the TW 1.5 service.
- EHSS-53 in conjunction with EHSS-72 and NNSA is preparing personnel vetting systems for transition from the current 5-Tier model to the 3-Tier model under the 2022 TW 2.0 Federal Investigative.
- EHSS-53 in conjunction with EHSS-72 and NNSA is preparing personnel vetting systems to handle processing of uncleared workforce— pending guidance from DCSA and PAC PMO.
- March 2023, EHSS-1 completed a TW 2.0 introductory meeting with Chief Human Capital Officer and Director, Office of Management and is setting up a meeting with the Chief Information Officer to introduce TW 2.0 Implementation – date is TBD.

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Report of Arrest and Prosecution Background (Rap Back)

- Current Status (Cleared Workforce)
 - As of April 18th, there are 103,914 cleared individuals enrolled.
 - EHSS-53 is working with NA-74, DCSA and the CPSOs to enroll the additional 5,905 cleared individuals who are not enrolled.
 - Invalid DUID (2047)
 - No print on file (1,173)
 - Unclassifiable (1,170)
 - No Investigative Basis (650)
 - Applicant not enrolled in USAccess (156)
 - Various (709)
 - Mass enrollments, unenrollments and subject updates are handled weekly by NA-74



Rap Back Cont.

- Current Status (Uncleared Workforce)
 - The RAP Back MOU is being updated to include the SOIs that process SF85s, SF-85Ps and SF-86s for the uncleared workforce. This will allow those offices to begin Rap Back enrollment of their populations.
 - The Western Area Power Administration has had their uncleared workforce in RAP Back since 2020 following the 2019 announcement from DCSA they would no longer provide post appointment arrest reports. The Southwestern Area Power Administration has staged their uncleared workforce for enrollment into RAP Back.
 - EHSS-53 is working with NA-74 to begin coordinating mass enrollment, unenrollment and subject updates for the uncleared workforce as requested.



CV for the Uncleared Workforce

- **Status:**
 - DCSA is working on a Pilot with OPM.
- **Checks:**
 - Still yet to be set, however, at a minimum they will be the three high priority checks (Eligibility, Terrorism, and Criminal).
- **Phased enrollment:**
 - The plan is to phase in similar to what was done with the national security and sensitive workforce
- **Implementation guidance:**
 - Pending from the Executive Agents and PAC PM



Transition from 5-Tier to 3-Tier Investigative Model

- **Purposes**
 - Align investigative requirements for the suitability, fitness, national security, and credentialing trust determinations.
 - Maximizes uniformity across all Federal personnel vetting domains to enable faster onboarding and improve workforce mobility.
- **Dependency for success**
 - Full implementation of this strategic action depends on ISPs and D/As transitioning from the old to new investigative tiers; development of new investigative products; policy updates on position designation; IT capabilities and updates to low- and high-side repositories consistent with the new policies; and D/A and industry onboarding into NBIS and scaling for eApplication.



Transition from 5-Tier to 3-Tier Investigative Model

- **Affects on the Department**

- Information Technology (IT): Update to the new 3-Tier model while maintaining the current 5-Tier structure.
- Cost: TBD for IT updates; investigative product costs are in Federal Investigative Notice 23-01, *Final FY2024 Investigations Reimbursable Billing Rates*, January 2023.
- Forms Collection: For enrollment of the low-risk and non-sensitive public trust workforce, individuals have to have a signed SF-85/85P that is 2017 or newer as these forms include continuous vetting requirements in the signature and release pages.
- Updating Policies and Procedures: Sharing of information by the personnel vetting management programs; sharing of information with the DCSA (obtain the appropriate sharing protocol).



Transition from 5-Tier to 3-Tier Investigative Model

- **Next Steps:**
 - IT: EHSS-53 – work with NA-74 and EHSS-72 to develop requirements needed to update CATS and CPCI to account for the three-Tier investigative model while maintaining the current five-Tier structure.
 - Determine workforce size of the low-risk and non-sensitive public trust workforce
 - Dependent on input from the stakeholders who handle this workforce (HC, Office of Management, etc.) – pending.
 - Updating policies: EHSS-53 - Work with stakeholders to identify policies which require updating to include TW initiatives – pending.



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Summary



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