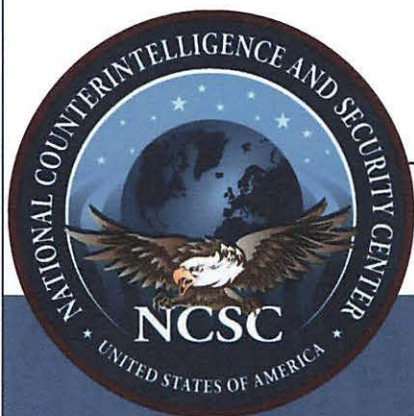


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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE



NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER

Advancing Counterintelligence and Security Excellence

Fiscal Year 2015 Reciprocity of Security Clearances

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EXECUTIVE SUMMARY

The Intelligence Authorization Act (IAA) for Fiscal Year (FY) 2014 requires the Director of National Intelligence (DNI), as the Security Executive Agent, to submit an annual *Report on Reciprocity of Security Clearances*, through 2017, to Congress. The IAA directs this report to include: 1) the periods of time required by authorized adjudicative agencies for accepting background investigations and determinations completed by an authorized investigative entity or authorized adjudicative agency; 2) the total number of cases in which a background investigation or determination completed by an authorized investigative entity or authorized adjudicative agency is accepted by another agency; 3) the total number of cases in which a background investigation or determination completed by an authorized investigative entity or authorized adjudicative agency is not accepted by another agency; and, 4) such other information or recommendations as the DNI considers appropriate.

Existing Intelligence Community (IC) policy reinforces the central reciprocity tenets of the *Intelligence Reform and Terrorism Prevention Act (IRTPA) of 2004*, which generally provides that all background investigations and clearance determinations shall be accepted, all background investigations initiated shall be transferable, and agencies may not establish additional investigative or adjudicative requirements without approval. Several IC policy documents reinforce the principles of reciprocity, which consist of the recognition and acceptance, without further processing, of security background investigations and access eligibility determinations which satisfy the following conditions: the requested clearance level must be equal to or less than that for which the individual is currently eligible; the date of the individual's most recent background investigation must be in-scope; the individual's security record must be devoid of exceptions; the gaining agency must not currently possess substantial information indicating the employee may not satisfy access eligibility standards; and, for IC organizations requiring polygraphs, the date of most recent polygraph must be in-scope. In the IC, subjects with access to Sensitive Compartment Information (SCI) and controlled access programs make up the majority of reciprocity requests. Therefore, IC policy focuses on addressing this scenario. If reciprocity is not granted, IC organizations may use other security clearance processing to eventually grant access, contingent on the satisfactory resolution of identified conditions and the continued need of the requestor.

The data presented in this report shows that the average period of time for accepting background investigations and determinations across the IC during the reporting period was 7 days. The IC made determinations on 27,020 requests to accept the background investigation and determination of another agency; 23,463 of these were accepted and 3,557 were not accepted. An additional 198 requests were withdrawn before a determination was rendered.

METHODOLOGY

Reciprocity data collection began in the second quarter of FY 2015. As a consequence, this report presents data for the second, third, and fourth quarters of FY 2015. The scope of this report is restricted to reciprocity requests received and acted upon by a security office. Throughout this report, "requests" for reciprocity are considered requests for security clearance processing which are reviewed to determine whether subject has a previous security determination on record and whether that determination indicates for the gaining agency that no further security processing is required. All other actions that may logically be related to other aspects of the personnel transfer process, such as those involving human resources or acquisitions functions (e.g., contracting), are outside the scope of this report. Reciprocity requests were tracked from their receipt by the gaining organization's security clearance section to the date that organization made a determination on the request.

The Office of the Director of National Intelligence (ODNI) received quarterly collection reports from IC elements with investigative and/or adjudicative authority. Central Intelligence Agency (CIA)¹, Defense Intelligence Agency (DIA), National Geospatial-Intelligence Agency (NGA), National Reconnaissance Office (NRO), National Security Agency (NSA), and IC elements of the United States Coast Guard, Department of State, Department of the Treasury, Department of Energy, Federal Bureau of Investigation, Drug Enforcement Administration, and Department of Homeland Security all provided data for this report. The other IC elements reported that collecting reciprocity data at this level of detail would be a manual, resource-intensive process that is not currently viable. Throughout the report, data is broken down by "Core IC" agencies and "All IC" agencies. "Core IC" agencies include: CIA, DIA, NGA, NRO, and NSA. "All IC" agencies include: "Core IC" agencies plus all the other IC elements that provided data for this report.

As with any new metrics requirement, the IC agencies reported challenges to this initial collection. Agencies primarily extracted data elements of reciprocity from their primary case management systems, some of which did not contain specific reciprocity data points. Some agencies, therefore, reported summary-level data only or performed manual reviews of their data. This caveat is noted throughout the report, where appropriate, to provide a clearer understanding of the data presented.

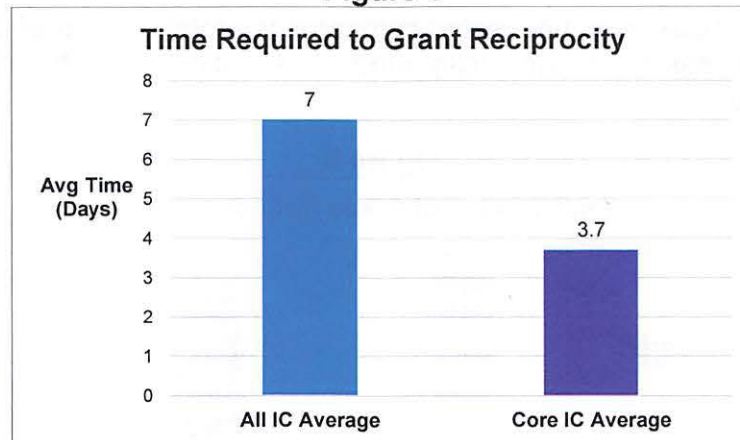
RECIPROCITY PERFORMANCE ACROSS THE INTELLIGENCE COMMUNITY

The state of reciprocity in the IC during FY 2015 is depicted in the following graphics that track the metrics required by the FY 2014 IAA.

(1) Time Required to Grant Reciprocity.

Figure 1, *Time Required to Grant Reciprocity*, shows the average time it took for one IC agency to apply the principles of reciprocity and accept the background investigation and security determination of another IC agency. Average time was computed by dividing the total number of processing days by the total number of cases where reciprocity was granted. Processing begins on the date the case is received by the security element responsible for determining whether reciprocity applies, and ends on the date the security element documents that determination in the individual's security record.

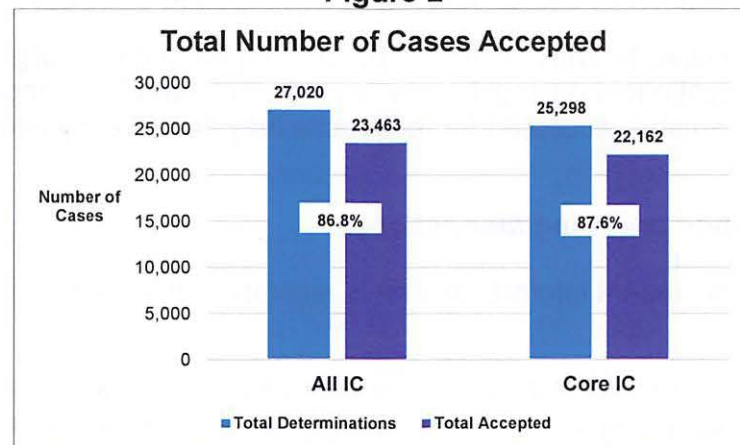
¹ CIA also processes security clearances for ODNI employees and contractors.

Figure 1

The average time it took for “All IC” agencies to apply the principles of reciprocity and accept the background investigation and security determination of another IC agency was 7 days. The “Core IC” took 3.7 days to apply the principles of reciprocity and accept the background investigation and security determination of another IC agency.

(2) Total Number of Cases Accepted.

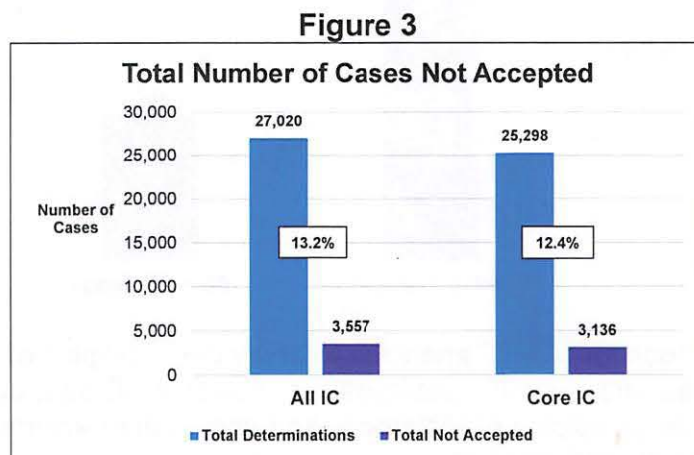
Figure 2, Total Number of Cases Accepted, shows the total number of cases reviewed and closed, the total number of cases where a background investigation and determination was accepted (approved), and the approval rate. The approval rate was calculated by dividing the total number of cases accepted (approved) by the total number of completed reciprocity request determinations.

Figure 2

In FY 2015, “All IC” agencies reviewed and closed 27,020 reciprocity requests. Of these, 23,463 were accepted (approved). This resulted in an overall acceptance rate of 86.8%. The “Core IC” reviewed and closed 25,298 requests and accepted (approved) 22,162 of these, for an acceptance (approval) rate of 87.6%.

(3) Total Number of Cases Not Accepted.

Figure 3, Total Number of Cases Not Accepted compares the total number of cases reviewed and closed to the number of cases where the background investigation and determination of another agency was not accepted.



In FY 2015, "All IC" agencies reviewed and closed 27,020 requests for reciprocity. Of these, 3,557 (13.2%) were not accepted. The "Core IC" reported that of 25,298 reciprocity determinations, they did not accept 3,136 (12.4%).

Additionally, "All IC" agencies reported 198 requests were withdrawn by the requestor because either the agency no longer had a valid need or the subject was no longer available. Throughout the "Core IC," there were 127 withdrawals, which may include requests for contractors that were withdrawn by the Contracting Officer or Contracting Officer's Technical Representative.

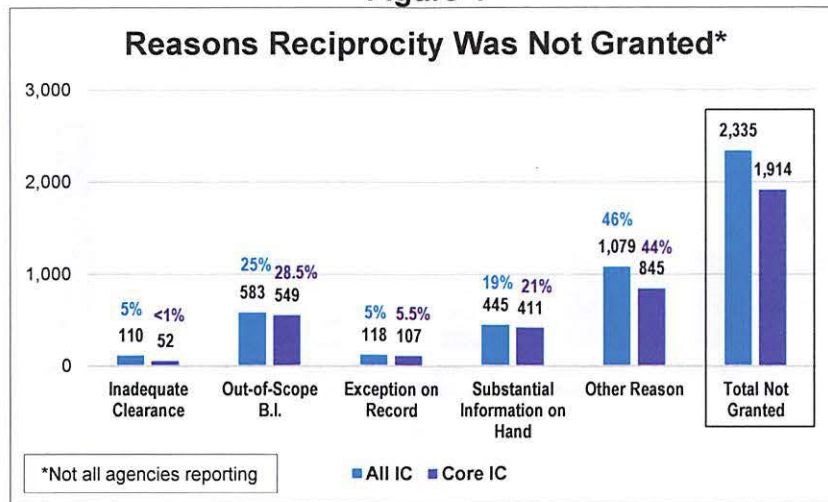
Through their respective security clearance processing procedures, organizations may eventually grant access, contingent on satisfactory resolution of identified concerns and conditions. Therefore, cases not immediately accepted for reciprocity may flow directly into a security agency's regular processing queue.

(4) Other Information or Recommendations.

The following charts present information that is relevant to the state of reciprocity throughout the IC.

Figure 4, Reasons Reciprocity Was Not Granted, is a breakdown, by category, of the reasons agencies cited for not accepting the background investigation and security clearance determination of another IC agency (for agencies that were able to report that data).

Figure 4



The data in Figure 4 was drawn from IC organizations with case management systems able to categorize the reasons for denying requests. The “Other Reason” category represents cases where reciprocity was denied because of polygraph requirements or other unspecified reasons.

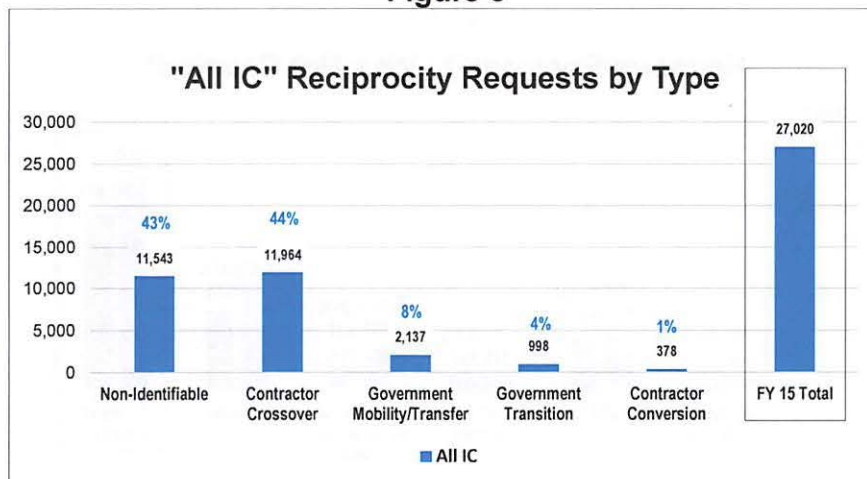
“All IC”: Of the 2,335 cases reviewed, 1,079 (46%) fell into the “Other Reason” category. The remaining cases were denied due to out-of-scope background investigations in 583 cases (25%); possession by the gaining organization of substantial information in 445 cases (19%); exceptions noted in the subject’s security record in 118 cases (5%); and, inadequate clearance eligibility level in 110 cases (5%).

“Core IC”: Of the 1,914 cases reviewed, 845 (44%) fell into the “Other Reason” category. The remaining cases were denied due to out-of-scope background investigations in 549 cases (28.5%); possession by the gaining organization of substantial information in 411 cases (21%); exceptions noted in the subject’s security record in 107 cases (5.5%); and, inadequate clearance eligibility level in 2 cases (less than 1%).

Until case management systems are modified to capture specific reciprocity data elements, the “Other Reason” category will most likely continue to account for the largest number of reciprocity cases that are “not accepted” within the IC.

Figure 5, “All IC” Reciprocity Requests by Type, presents the number of requests reviewed and closed by the type of reciprocity action requested for those agencies that were able to report that data.

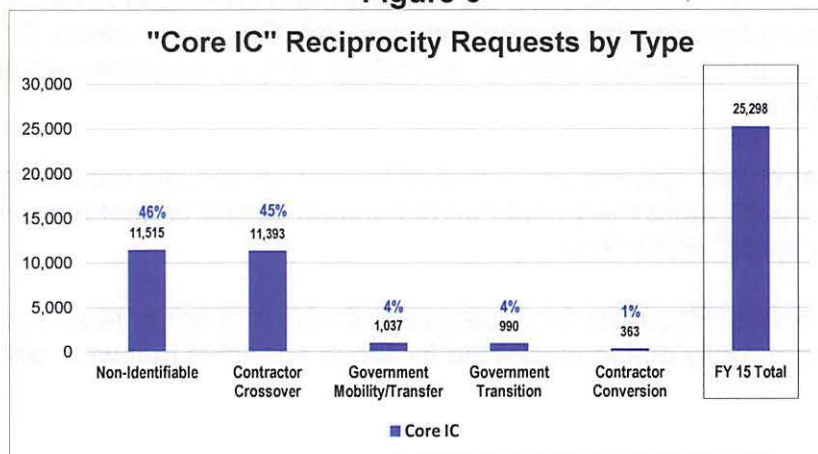
Figure 5



In FY 2015, 27,020 reciprocity determinations in the IC were categorized by the type of administrative action needed. Of these, 11,964 requests (44%) were submitted in support of contractor crossovers; 2,137 (8%) supported government mobility assignments or interagency transfers; 998 (4%) supported requests for government employee transition to contractor; and, 378 requests (1%) were for contractor conversion to government employee. IC agencies reported processing 11,543 requests (43%) that were not identified by type. Those cases not identifiable by type are the result of an agency's data submission of summary level data without case details.

Figure 6, "Core IC" Reciprocity Requests by Type, breaks down the number of requests reviewed and closed by the type of reciprocity action requested for those agencies that were able to report that data.

Figure 6



For the "Core IC," 25,298 reciprocity determinations were categorized by the type of administrative action needed. Of these, 11,393 requests (45%) were submitted in support of contractor crossovers; 1,037 (4%) supported government mobility assignments or interagency transfers; 990 (4%) supported requests for government employee transition to contractor; and, 363 requests (1%) were for contractor conversion to government employee. "Core IC" agencies reported processing 11,515 requests (46%) that were not identified by type. Those cases not identifiable by type are the result of an agency's data submission of summary level data without case details.

CONCLUSION

The data presented in this report indicates that IC security clearance organizations are generally applying security clearance reciprocity policies and procedures appropriately. In FY 2015, the time required to grant reciprocity in "All IC" agencies was 7 days. "All IC" agencies reviewed and made determinations on 27,020 cases; reciprocity was granted in 23,463 (86.8%) of those cases and not granted in 3,557 (13%) of those cases. In the "Core IC," the average time required to grant reciprocity was 3.7 days. "Core IC" agencies reviewed and made determinations on 25,298 cases; reciprocity was granted in 22,162 (87.6%) of those cases and not granted in 3,136 (12.4%) of those cases.

When reciprocity is not granted because of any of the exceptions allowed under policy, agencies may either return the case to the requestor or submit the case for processing under customary security clearance procedures. In the latter case, organizations may eventually grant access contingent on satisfactory resolution of the concerns identified in the original case.

As this metrics collection initiative matures, reciprocity practice in the IC will be understood with greater clarity. This insight, in turn, will inform the ODNI's continued assessment of best practices and challenges faced in achieving greater reciprocity, and drive future policy development and training initiatives.

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