

Kansas Adjutant General's Department – State Human Resources Guidelines

2011

10/2011

POLICY

REF: DoD 5200.08-R-DoD 5200.2-R-NGB Executive Order 10450-NGB Memorandum 14 April2004-Army Reg 25-2 Ch. 4 Sec V

SECURITY CLEARANCES AND CAC ID CARDS

Policy:

It is the policy of the Adjutant General's Department to require employees and volunteers to obtain and maintain the level of security clearance assigned to their respective work. This is in order to comply with United States Department of Defense (DoD) requirements and ensure the safety and security of the missions, programs, property and employees of the Adjutant General's Department.

Comment:

- (1) For each position/individual a level of clearance will be determined by the respective Security Manager in conjunction with the respective division director or worksite manager using the following guidelines:

Sensitivity Level	Type of Clearance	Type of Check	Job Criteria Guidelines.
N/A	Suitability Determination (None or Confidential)	SAC	Minimum for every State employee & volunteer. This includes temporary and seasonal persons without computer access. Used only for ID Purposes.
Nonsensitive	Suitability Determination (None or Confidential)	NACI	Minimum for every State employee & volunteer with access to the computer network. This includes temporary and seasonal persons. Used for Computer Access.
Noncritical Sensitive	Secret (S)	ANACI	Minimum for persons, who in the normal course of their job have access to, or need access to: <ol style="list-style-type: none"> 1. Classified information. 2. Information on, including the movement of, senior leadership. (TAG and other Generals) 3. Schematics and detailed designs of the buildings on the Joint Forces Headquarters Complex. 4. Social Security Numbers, other confidential personal information, or confidential agency data or information. 5. Information Technology network administrative rights.
Critical Sensitive & Special Sensitive	Top Secret (TS) & Single Scope Background Investigation (SSBI)	SSBI	Persons <ol style="list-style-type: none"> 1. With unrestricted access to computer network data centers 2. With access to a certified Sensitive Classified Information Facility (SCIF.) 3. With access to sensitive national security information 4. Others required by the TAG, DoD &/or Security Mgrs

- (2) If clearance levels or the respective criteria change, individuals must meet the new standards.

- (3) Persons must receive a favorable SAC before they can begin working/volunteering.

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- (4) Prior to being appointed to any position/association requiring a higher clearance level than an individual presently possesses, he/she must complete and submit the appropriate background information for the higher level background check.
- (5) A clearance decision can be overturned at any time, if at a later date, it is revealed that a person lied or concealed information during any part of the clearance process.
- (6) The type of clearance and/or background investigation for:
 - (a) Benefits eligible employees will be identified in the State position description form DA 281-2.
 - (b) Non-benefits eligible employees will be identified on the SHRO Transaction Form (Green Sheet.)
 - (c) Volunteers will be identified in a memo from the supervisor notifying the State Human Resource Office (SHRO) of the future volunteer.
- (7) Persons already possessing a valid national security clearance recognized by the DoD will not need a new SAC, NACI or ANACI equivalent. Valid military clearances remain active for one (1) year after separation. Any equivalents must be submitted at the time of the conditional offer of employment.
- (8) A minimum background investigation (SAC) consists of a:
 - (a) Search of investigative files and other records held by federal agencies such as the Federal Bureau of Investigation (FBI) and the Office of Personnel Management (OPM);
 - (b) Fingerprint check

A SAC background check is also the first step in the clearance process for individuals requiring a higher level background check or clearance.
- (9) Four (4) criteria definitely resulting in a clearance denial are:
 - (a) Conviction of a crime and sentenced to prison for more than one year
 - (b) Currently an illegal user of, or is addicted to, a controlled substance
 - (c) Mentally incompetent
 - (d) Discharged or dismissed from the armed forces under dishonorable conditions.
- (10) Other variables taken under consideration in clearance determinations include:
 - (a) Allegiance to the United States;
 - (b) Foreign Influence;
 - (c) Foreign Preference;
 - (d) Sexual Behavior - of a criminal nature;
 - (e) Personal Conduct – truthful, trustworthiness, credible;
 - (f) Financial Issues – inability or unwillingness to satisfy debts, unexplained affluence;
 - (g) Alcohol Consumption Issues;
 - (h) Drug Involvement;
 - (i) Psychological Conditions – judgment, reliability, emotional stability;
 - (j) Criminal Conduct;

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- (k) Handling Protected Information;
 - (l) Outside Activities – related to foreign or international activities;
 - (m) Use of Information Technology Systems – illegal activities.
- (11) All candidates for employment and potential volunteers are required to acknowledge that they have been advised of the agency's security clearance and background check requirements.
- (12) Individuals selected for employment will be given a conditional offer of employment pending the results of their SAC.
- (13) Various results of the SAC will result in the following:
- (a) A '**Favorable**' result and only need a SAC may begin work at any time.
 - (b) A '**Favorable**' result and require a **NACI or higher level clearance** may begin work at any time with the understanding that if the result of the NACI is less than 'Favorable' their continued employment depends on the results of the adjudication process.
 - (c) '**Concerned**' result will be requested to provide additional information and/or documentation.
 - (d) '**Unfavorable**' results will have their conditional offers of employment or their potential association with the agency withdrawn.
- (14) Failure to obtain and maintain a favorable SAC, as well as the designated type of security clearance/background check, may result in a job offer being rescinded, separation of employment, separation of the association with the agency and/or other actions as may be deemed in the best interest of the agency.
- (15) An interim security clearance may be granted to persons after receiving a favorable SAC while a full investigation of their NACI, ANACI or SSBI and final clearance decision are being processed.
- (16) Individuals must receive a minimum of a favorable SAC to obtain a Common Access Card (CAC.) used for Identification purposes and access to computer networks. The only exceptions to this requirement are individuals who have a current national clearance recognized by the DoD.
- (17) Persons must successfully renew their required clearance level at designated intervals. The Human Resources will notify department head of employees due for renewal. It is the responsibility of the employee, once notified, to initiate the renewal process. Failure to renew in a timely manner may result in disciplinary action up to and including termination.
- (18) All employees and volunteers must self report, within one working day of the event, any arrests and/or convictions. Individuals must provide verification, or a means to verify, the arrest and/or conviction. Failure to make these reports may result in disciplinary action, up to and including, immediate dismissal/separation.