

# Facility Clearance

A Way Forward

J & B Hartigan Inc.

# Facility Clearance

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# What is a FCL

- A facility clearance (FCL) is an administrative determination that, from a national security standpoint, a facility is eligible for access to classified information at the same or lower classification category as the clearance being granted.
- The FCL may be granted at the Confidential, Secret, or Top Secret level. The FCL includes the execution of a Department of Defense Security Agreement (DD Form 441).
- Under the terms of the agreement, the Government agrees to issue the FCL and inform the contractor as to the security classification of information to which the contractor will have access. The contractor, in turn, agrees to abide by the security requirements set forth in the National Industrial Security Program Operating Manual, commonly referred to as the NISPOM.

# Methods To Be Granted An FCL

- A contractor or prospective contractor cannot apply for its own facility clearance. A procuring activity of the Government, or cleared contractor in the case of subcontracting, may request the clearance when a definite, classified procurement need has been established.
- There are two methods of FCL Sponsorship:
  - Government Sponsorship
  - Industry Partner

# Corporate Basics

- The company must be organized and existing under the laws of any of the fifty states, the District of Columbia, or Puerto Rico, and be located in the United States or its territorial areas.
- Parent-Subsidiary Relationships. When a parent-subsidiary relationship exists, the parent and the subsidiary will be processed separately for an FCL. As a general rule, the parent must have an FCL at the same, or higher, level as the subsidiary.
- Corporations, LLC's etc
- Single or multiple locations
- When a parent or its cleared subsidiaries are collocated, a formal written agreement to use common security services may be executed by the two firms, subject to the approval of the CSA.

# Corporate Basics

- Execute CSA-designated forms.
- Process key management personnel for PCLs.
- Appoint a U.S. citizen employee as the FSO.
- Simple is better

# Key Management Personnel

- Must be US Citizens
- Individually Cleared to level of FCL request prior to the FC request
- Formally excluded and approved by the CSA
- Non Foreign ownership

# FSO Responsibilities and Training

- The contractor shall appoint a U.S. citizen employee, who is cleared as part of the facility clearance (FCL) to be the FSO. The FSO will supervise and direct security measures necessary for implementing applicable requirements of this Manual and related Federal requirements for classified information.
- Contractors shall be responsible for ensuring that the FSO, and others performing security duties, complete security training considered appropriate by the CSA. Training requirements shall be based on the facility's involvement with classified information and may include an FSO orientation course and for FSOs at facilities with safeguarding capability, an FSO Program Management Course. Training, if required, should be completed within 1 year of appointment to the position of FSO.



# FSO Responsibilities and Training

- **3-103. Government-Provided Briefings.** The CSA is responsible for providing initial security briefings to the FSO and for ensuring that other briefings required for special categories of information are provided.
- **3-104. Temporary Help Suppliers.** A temporary help supplier, or other contractor who employs cleared individuals solely for dispatch elsewhere, shall be responsible for ensuring that required briefings are provided to their cleared personnel. The temporary help supplier or the using contractor may conduct these briefings.
- **3-105. Classified Information Nondisclosure Agreement (SF 312).** The SF 312 is an agreement between the United States and an individual who is cleared for access to classified information. An employee issued an initial PCL must execute an SF 312 prior to being granted access to classified information. The contractor shall forward the executed SF 312 to the CSA for retention. If the employee refuses to execute the SF 312, the contractor shall deny the employee access to classified information and submit a report to the CSA. The SF 312 shall be signed and dated by the employee and witnessed. The employee's and witness' signatures must bear the same date.

# FSO Responsibilities and Training

- **3-106. Initial Security Briefings.** Prior to being granted access to classified information, an employee shall receive an initial security briefing that includes the following:
  - a. A threat awareness briefing.
  - b. A defensive security briefing.
  - c. An overview of the security classification system.
  - d. Employee reporting obligations and requirements.
  - e. Security procedures and duties applicable to the employee's job.
- **3-107. Refresher Training.** The contractor shall provide all cleared employees with some form of security education and training at least annually. Refresher training shall reinforce the information provided during the initial security briefing and shall keep cleared employees informed of appropriate changes in security regulations. Training methods may include group briefings, interactive videos, dissemination of instructional materials, or other media and methods. Contractors shall maintain records about the programs offered and employee participation in them. This requirement may be satisfied by use of distribution lists, facility/department-wide newsletters, or other means acceptable to the FSO.
- **3-108. Debriefings.** Contractors shall debrief cleared employees at the time of termination of employment (discharge, resignation, or retirement); when an employee's PCL is terminated, suspended,

# FSO Responsibilities and Training

## STEPP Security Training, Education and Professionalization Portal

- The DoD 5200.1-R, 'Information Security Program,' has been superseded by DoD Manual 5200.01, Volumes 1-4, 'DoD Information Security Program,' dated February 24, 2012. CDSE is working to update all courseware, but please be aware that until all updates are completed, there will be references to DoD 5200.1-R.
- We refer to our learning management system as the STEPP system. This is where we maintain the list of courses that we provide and where your student information and your course transcripts are maintained. The online courses that we provide are also part of this system. Please be advised that CDSE courses are intended for use by Department of Defense and other U.S. Government personnel and contractors within the National Industrial Security Program.
- <http://www.cdse.edu/stepp/index.html>
- Industry Partners

# Self Inspections

- **Can the government conduct assessments of a cleared facility?**

Periodic security vulnerability assessment of all cleared contractors are conducted by the assigned IS Rep to ensure that safeguards employed by contractors are adequate for the protection of classified information. The IS Rep will determine the frequency of such formal assessment, but an assessment will normally be conducted annually.

- Self Inspections recommend semi annually and 30 days prior to DSS Inspection

# Changes

Changes are reported to the DSS Representative. If unsure, ask your DSS Representative. Don't Wait

Changes to KPM List

Adverse Information

Breeches

Spills

SF 312 NDAs

# Common Misconceptions

No Direct Cost to the Contractor

All FCLS are the Same

Indirect Costs FSO, training programs and security requirements

Level of effort delta for Possessing and Non Possessing FCLS

Can't apply; must be sponsored

Lead time

# References

Defense Security Service DSS is the Defense Department agency that oversees and manages the security program at contractor organizations and investigates breaches of security.  
Security Division

27130 Telegraph Rd.  
Quantico, VA 22134  
571-305-6753

Defense Industrial Security Clearance Office DISCO, Provides personnel and facility clearance reviews and approvals.

600 10th Street,  
Fort Meade, MD, 20755 or faxed to (301) 833-3912.  
DoD Security Services Call Center (888) 282-7682.

[CDSE](#) Center for Development of Security Excellence. Provides training for security personnel at contractor and government organizations.

# References

National Industrial Security Program Operating Manual, commonly referred to as the NISPOM.

<http://www.dtic.mil/whs/directives/corres/pdf/522022m.pdf>

**STEPP Security Training, Education and Professionalization Portal**

<http://www.cdse.edu/stepp/index.html>

Self Inspection Handbook

[https://depts.washington.edu/uwfso/reference/Self\\_Inspection\\_Handbook\\_Oct\\_2006.pdf](https://depts.washington.edu/uwfso/reference/Self_Inspection_Handbook_Oct_2006.pdf)

Industry partners and Vendors



# Take Aways

- FSO training is provided online through STEPP. Some classes may also be taught live but all the required classes are available online.
- FSO's at possessing facilities have to complete 17 courses and pass associated exams – estimated length of the classes is over 42 hours. Non-possessing facility FSO's have to complete 13 courses and exams that will take over 34 hours.
- Courses include using JPAS for personal clearances, e-FCL to check facility clearances, security education and training, understanding foreign influences, reporting and inspections. Possessing facility training includes courses on marking and handling classified materials.
- Read and know the NISPOM is key to being a successful FSO and having a successful security program. The NISPOM contains the regulations and requirements that must be followed in your security program.
- I recommend you print a copy for easy access as you will access it regularly. Be sure to review and have handy the Industrial Security Letters which add and explain various parts of the NISPOM.

# Contact Information

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