



**U.S. DEPARTMENT OF COMMERCE
MANUAL OF SECURITY
POLICIES AND PROCEDURES**

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E.1 ACCESS TO CLASSIFIED AND OTHER PROGRAMS

A. Eligibility for Access to Classified Information.

1. **Requirements.** All requests for access (Top Secret or Secret) shall be granted based on a need-to-know; a justification for access; initial security education and awareness briefing; a signed Form SF-312, Classified Information Non-Disclosure Agreement; and appropriate investigation. A Single Scope Background Investigation (SSBI) is required for Top Secret access. A Background Investigation (BI) is required for Critical-Sensitive appointments and an Access National Agency Check and Inquiries (ANACI) is required for Noncritical-Sensitive appointments.

2. **Procedures.** An individual's supervisor initiates a request for access, and forwards it to the operating unit's security contact who reviews it for completeness and sends it to the servicing security officer.

3. Request Package.

- a. Form SF-86, Questionnaire for National Security Positions;
- b. Form CD-79, Request For Security Clearance; and
- c. Credit Release Authorization Form.

4. Servicing Security Officer Action.

- a. Review the security access request package for completeness;
- b. Confirm the subject has an appropriate need-to-know;
- c. Confirm the justification for level of security access requested on Form CD-79, Request For Security Clearance;
- d. Confirm that Form SF-86, Questionnaire for National Security Positions is signed and bears a recent date (within 30 calendar days);
- e. Confirm that the Block labeled "Primary Unit" on the Form CD-79 identifies the operating unit, agency, and ASC (if needed) initiating the request;



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- f. Forward the request for eligibility for access to the Office of Security headquarters;
- g. Upon receipt of favorable eligibility for access determination from the Office of Security headquarters, conduct an initial security education and awareness briefing.
- h. Instruct the subject to read and sign the SF-312, Classified Information Non-Disclosure Agreement, and obtain a third individual's witness signature.
- i. Enter all pertinent data into the Office of Security's electronic database system; and
- j. Forward the SF-312 to the Office of Security, headquarters, which will grant eligibility for access to classified information upon receipt.

B. Temporary Eligibility for Access to Classified Information.

1. **Requirement.** Temporary eligibility for access to classified information requests may be granted by the Director for Security if an emergency need exists. Temporary eligibility for access allows an individual to have temporary access to classified information while the investigation for a final access is in progress, or for a specified period of time. Temporary eligibility for access may be granted only upon a clearly demonstrated emergency requirement and need-to-know; a background investigation submitted to OPM with a 35-day service request; a signed Form SF-312, Classified Information Non-Disclosure Agreement; an initial security education and awareness briefing, and a favorable Pre-Appointment Check.

2. **Procedure.** The security contact initiates the request for temporary eligibility for access to classified information, reviews it for completeness, and sends it to the servicing security officer.

3. Request Package.

- a. Temporary eligibility for access request memorandum to the Director for Security;
- b. Form CD-79, Request For Security Clearance, including a paragraph with specific and detailed strong justification for the request for temporary eligibility for access;
- c. Form SF-86, Questionnaire for National Security Positions; and
- d. Credit Release Authorization Form.



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4. Servicing Security Officer Action.

- a. Review the temporary access request package for completeness;
- b. Confirm the subject has an appropriate need-to-know;
- c. Confirm adequate justification for level of security access is shown on Form CD-79, Request For Security Clearance;
- d. Confirm Form SF-86, Questionnaire for National Security Positions, is signed and bears a recent date (within 30 calendar days);
- e. Confirm that the Block labeled "Primary Unit" on the Form CD-79 identifies the operating unit initiating the request;
- f. Forward the request for temporary eligibility for access to the Office of Security headquarters;
- g. Upon receipt of favorable eligibility for access determination from the Office of Security, headquarters, conduct an initial security education and awareness briefing.
- h. Instruct the subject to read and sign the SF-312, Classified Information Non-Disclosure Agreement, and obtain a third individual's witness signature.
- i. Enter all pertinent data into the Office of Security's electronic database system; and,
- j. Forward the SF-312 to the Office of Security, headquarters, which will grant eligibility for access to classified information upon receipt.

C. Special Access Clearances.

1. Sensitive Compartmented Information (SCI) Security Clearance.

- a. **Requirement.** Sensitive Compartmented Information (SCI) (also known as "code word clearance") access is granted based on a final Top Secret eligibility determination, a favorably adjudicated Single Scope Background Investigation (SSBI) within the most recent five-year period,



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and specific justification for the special access clearance.

b. **Procedure.** The security contact initiates an SCI access request package, reviews it for completeness, and sends it to the servicing security officer.

c. **Request Package.**

1) SCI Justification Memorandum to the Director for Security, through the Director, Office of Executive Support, containing specific justification and identifying the specific access codes needed;

2) Investigation Requirements:

a) Form SF-86, Questionnaire for National Security Positions, if the individual has a favorably adjudicated SSBI within the past five years; or,

b) SSBI investigation request package if the subject does not have an existing Top Secret clearance (refer to Appendix D, paragraph D.3 A.10), or

c) SSBI-PR request package if the subject has not had an SSBI within the most recent five year period (refer to Appendix D, paragraph D.3 B.3); and

3) Credit Release Authorization form.

d. **Servicing Security Officer Action.**

1) Review the investigative request package for completeness;

2) Forward the request package to the Office of Security headquarters; and

3) Record the clearance generically (i.e., "SCI;" do not record specific access codes).

2. Department of Energy "Q" and "L" Security Clearances.

a. **Requirement.** Department of Energy (DOE) "Q" and "L" clearances are granted by DOE to Department of Commerce personnel who have been granted the appropriate Top Secret and



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Secret clearances within the most recent five-year period and have specific and justifiable need-to-know. The DOE "Q" and "L" clearances are equivalent to Top Secret and Secret clearances respectively. The Office of Security headquarters acts as liaison with the Department of Energy for obtaining DOE clearances for Department of Commerce personnel.

b. Procedure. The security contact initiates a Department of Energy "Q" and "L" clearance request package, reviews it for completeness, and sends it to the servicing security officer.

c. Request Package.

- 1) DOE Clearance Request Memorandum to the Director for Security requesting a "Q" or "L" clearance. Memorandum must include specific justification;
- 2) Memorandum to the Director for Security requesting a departmental eligibility for security clearance to the Top Secret or Secret level in a Critical-Sensitive position;
- 3) SF-86, Questionnaire for National Security Positions, with Part I of the form completed by the requesting security contact, (copies may be required, contact Office of Security, headquarters for guidance):
 - a) A completed Form SF-86, Questionnaire for National Security Positions, if the individual has a favorably adjudicated SSBI for Top Secret or BI for Secret within the most recent five year period; or,
 - b) A completed SSBI investigation request package if the subject does not have an existing Top Secret clearance (refer to Appendix D, paragraph D.3 A.10 for requirements), or a completed BI investigation request package, if the subject does not have an existing Secret clearance (refer to Appendix D, paragraph D.3 A.9); or,
 - c) A completed SSBI-PR request package if the subject has not had an SSBI within the most recent five year period (refer to Appendix D, paragraph D.3 B.3 for requirements) or a completed PRI request package, if the subject has not had a BI within the most recent five year period (refer to Appendix D, paragraph D.3 B.2);
- 4) Form OF-612, Optional Application for Federal Employment or resume/ equivalent if for the initial employment appointment;



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- 5) Form SF-87, Fingerprint Chart, with OPM's designation in the ORI Block;
- 6) Form SF-312, Classified Information Non-Disclosure Agreement; and
- 7) Credit Release Authorization form.

NOTE: The initial investigation for a "Q" clearance and subsequent reinvestigation (SSBI-PR) will be billed to the operating unit, therefore, Part 1 of Form SF-86, Questionnaire for National Security Positions, must be completed by the security contact or the human resources manager for the operating unit.

3. NATO Security Clearance.

a. **Requirement.** NATO clearances are granted to personnel who have been granted an equivalent-level U.S. security clearance, received a NATO briefing and have a specific and justifiable need-to-know. The Office of Security headquarters is a subregistry of the Central United States Registry located in the Pentagon, for obtaining NATO clearances for Department of Commerce personnel.

b. **Procedure.** Requests for NATO clearances are initiated by the security contact and submitted to the servicing security officer. Security contacts will initiate the appropriate investigative request package for the appropriate U.S. clearance for the desired NATO clearance. NATO briefings are administered centrally from the Office of Security headquarters.

c. **Request Package.** The investigative request package for a particular level of NATO clearance will be the same as the package specified for the same level U.S. clearance, with one exception. The justification section of Form CD-79 must specifically justify the need for NATO clearance. Persons who possess an appropriate U.S. security clearance need only complete Form CD-79 with specific justification for the NATO clearance.

d. Servicing Security Officer Action.

- 1) Review the investigative request packages for completeness; and
- 2) Forward request packages to the Office of Security, headquarters.

D. Contracts.



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1. **Classified Contracts** (*Processing for Contractors, Experts, and Consultants*).

a. **Requirement.** Classified contracts require employed contractors, consultants, and experts to gain access to classified information in the performance of their work. Regardless of the contractor, consultant, or expert's location, appropriate security access and fulfillment of cleared facility requirements as determined by the National Industrial Security Program Operation Manual (NISPOM) must be met. All contractors, consultants, and experts are subject to the appropriate investigations and are granted appropriate security access by the Office of Security based on favorable results. No classified material or documents shall be removed from a Department of Commerce facility. The circumstances of the work performance must allow the Department of Commerce to retain absolute control over the information and keep the number of contract personnel with access to a minimum.

b. **Procedures.** Position sensitivity/risk assessments must be conducted on all functions that are performed by the contract. Risk assessments are determined in the same manner as those functions performed by employees. The Contracting Officer (CO) and Contracting Officer's Technical Representative (COTR) should determine the level of sensitivity or risk with the assistance of the servicing security officer.

1) Contract employees of classified contracts must have a completed investigation and be granted an appropriate level security clearance by the Office of Security headquarters, before start of work.

2) Security contacts must send the contract employee's existing security clearance information, if applicable, or appropriate investigative request package to the servicing security officer who will review and forward it to the Office of Security.

3) Security contacts must confirm that contract employees have the appropriate security clearance before starting any classified work.

c. **Request Package.**

1) Critical-Sensitive contract: SSBI Package.

2) High Risk contract: BI Package.



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- a) Form SF-86, Questionnaire for National Security Positions, marked "CON" in Block 1, Position Title, to distinguish it as a contractor case;
- b) Form FD-258, Fingerprint Chart, with OPM's designation in the ORI Block; and
- c) Credit Release Authorization Form.



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d. Security Contact Action.

- 1) Coordinate submission of proper investigative request package with the servicing security officer, the Contracting Officer (CO), the Contracting Officer's Technical Representative (COTR), and the contractor;
- 2) Review the request package for completeness, ensuring that the subject of each package is identified as a contract employee, the name of the contracting company is indicated, and that each package clearly indicates the contract sensitivity designation.
- 3) Send the request package to the servicing security officer.

e. Servicing Security Officer Action.

- 1) Review the package for completeness;
- 2) Ensure that the subject of each package is identified as a contract employee, the name of the contracting company is clearly indicated, and that each package is clearly marked to indicate the contract sensitivity designation; and
- 3) Forward request packages to the Office of Personnel Management.

2. Non-Classified Contracts (*Processing for Contractors, Experts, and Consultants*).

a. Requirement.

- 1) Any individual (contractor, consultant, or expert) performing work under a contract or subcontract for more than 180 calendar days, whose work is conducted within a Department of Commerce facility or who will have an impact on a Department of Commerce program, is subject to security/suitability processing. The level of contract sensitivity will determine the type and the scope of such processing. The criterion for determining contract sensitivity is discussed in Chapter 10, Position Sensitivity Designation, of the Security Manual.

EXCEPTION: Contract services processed through or provided by the General Services Administration for Department of Commerce facilities are exempt.

- 2) Any non-U.S. citizen considered for employment on a contract or subcontract must meet the



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following conditions for adequate security/suitability processing:

- a) Official legal status to be in the United States; and
- b) Continuously resided in the United States for the last two years;

3) Each contract for work that is performed within Department of Commerce facilities must specify the security/suitability processing requirements in the body of the contract. Standard statements developed for each contract sensitivity designation are contained in Appendix F, Contract Language For High and Moderate Risk Contracts, and Appendix G, Contract Language For Low Risk Contracts, of the Security Manual.

b. **Procedures.** Position sensitivity/risk assessments must be conducted for all functions that are performed by the contract. Sensitivity/risk assessments are determined in the same manner as those functions performed by employees. The Contracting Officer (CO) and Contracting Officer's Technical Representative (COTR) in coordination with the servicing Security Officer, should determine the level of sensitivity or risk. The responsible security contact or COTR will initiate the investigation request package and follow appropriate package procedures.

- 1) Contract personnel performing work designated Contract High Risk will require a pre-employment check before the start of work on the contract and a BI initiated within three working days of the start of work, regardless of the expected duration of the contract.
- 2) Contract personnel performing work designated Contract Moderate Risk will require a MBI to be initiated within three working days of the person's start of work on the contract, regardless of the expected duration of the contract.
- 3) Contract personnel performing work designated Contract Low Risk will require a NACI within three working days of the person's start of work on the contract if the expected duration of the contract exceeds 365 calendar days.
- 4) Contract personnel performing work designated Contract Low Risk will require a SAC within three working days of the subject's start of work on the contract if the expected duration of the contract exceeds 180 calendar days but is less than 365 calendar days.

NOTE: The security contact or servicing security officer may request a SAC on any contract personnel if the expected duration of the contract is 180 calendar days or less and a



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permanent building pass will be issued. Otherwise, a temporary building pass will be issued for up to 180 calendar days. If a SAC is requested it must be initiated within three working days of the subject's start of work on the contract.

c. Request Package.

1) High Risk contract: BI Package.

- a) Form SF-85P, Questionnaire For Public Trust Positions, marked "CON" in Block 1, Position Title, to distinguish it as a contractor case;
- b) Form FD-258, Fingerprint Chart, with OPM's designation in the ORI Block; and
- c) Credit Release Authorization form.

2) Moderate Risk contract: MBI Package.

- a) Form SF-85P, Questionnaire For Public Trust Positions, marked "CON" in Block 1, Position Title to distinguish it as a contractor case;
- b) Form FD-258, Fingerprint Chart, with OPM's designation in the ORI Block; and
- c) Credit Release Authorization form.

3) Low Risk contract: NACI Package (contract expected duration exceeds 365 calendar days).

- a) Form SF-85, Questionnaire For Non-Sensitive Positions, marked "CON" in Block 1, Position Title;
- b) FD-258, Fingerprint Chart, with OPM's designation in the ORI Block; and
- c) Credit Release Authorization form.

4) Low Risk contract: SAC Package (contract expected duration less than 365 calendar days).



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- a) Form OFI-86C, Special Agreement Checks;
- b) FD-258, Fingerprint Chart, with OPM's designation in the ORI Block; and
- c) Credit Release Authorization form.

d. Servicing Security Officer Action.

- 1) Coordinate submission of proper investigative request package with the security contact, the Contracting Officer, the Contracting Officer's Technical Representative, the contractor, and the Office of Security;
- 2) Review request package for completeness;
- 3) Ensure that the subject of each package is identified as a contract employee, the name of the contracting company is clearly indicated, and that each package is clearly marked to indicate the contract sensitivity designation; and
- 4) Forward all BI and NACI request packages to the Office of Personnel Management (OPM) (additional copies may be required: contact the Office of Security, headquarters, for guidance). Forward all SAC request packages to the servicing security officer for processing.

3. Departmental Committees (*Processing Membership For*).

a. **Requirement.** All individuals nominated for a departmental committee are subject to an appropriate security investigation process before participating on the committee. For the purpose of security processing, committee nominees/members are considered to be contractors.

- 1) No Access to Classified Information: Nominees who do not require access to classified information at a minimum are subject to a Special Agreement Check (SAC).
- 2). Access to Classified Information: Nominees who require access to classified information are subject to the appropriate investigative security processing for the desired level of security access.

b. **Procedure.** The Committee Liaison Officer for a departmental committee initiates the request package for committee members, reviews the package for completeness, and sends it to the



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servicing security officer.



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c. Request Package.

1) No Access to Classified Information. The SAC is the investigation requirement for a departmental committee member who does not require access to classified information. Refer to Appendix D, paragraph D.3 A.3, Special Agreements Check, (SAC) for request package.

2) Access Required to Classified Information.

a) Access to Top Secret Level. The SSBI is the investigation requirement for a departmental committee member who requires access to classified information up to the Top Secret level. Refer to Appendix D, paragraph D.3 A.10, Single Scope Background Investigation, for guidance.

b) Access to Secret Level. The NACLC is the minimum investigation requirement for a departmental committee member whose work requires access to classified information up to the Secret level. Refer to Appendix D, paragraph D.3 A.6, National Agency Checks with Law and Credit, for guidance.

d. Servicing Security Officer Action.

1) Review the request package for completeness;

2) Ensure that the subject of each package is identified as a departmental committee member, the name of the committee is clearly indicated, and that each package is clearly marked to indicate the sensitivity designation; and

3) Forward the request package to the Office of Personnel Management.

E. Security Assurance for Non-Employees (*Guest Workers, Research Associates, Trainees, and Long-term Visitors*). The Office of Security grants Low Risk Security Assurance for non-employees based on favorable security processing. All non-employees (Guest Workers, Research Associates, Trainees, and Long-term visitors) who have an association with the Department of Commerce are subject to security investigation processing. Position sensitivity/risk assessments must be conducted on all functions that are performed by the non-employee. Risk assessments are determined in the same manner as those functions performed by employees/contractors. Refer to Chapter 10, Position Sensitivity Designation, of the Security Manual. The security contact should determine the level of sensitivity or risk with the assistance of the servicing security officer. For the purpose of security processing, non-employees are considered to



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be contractors.

1. Requirement.

a. U.S. Citizens. The National Agency Checks and Inquiries (NACI) is required for U.S. citizens whose expected duration of association is more than 365 calendar days. The Special Agreements Check (SAC) is required for U.S. citizens whose expected duration of association is more than 180 calendar days but less than 365 calendar days.

b. Non-U.S. Citizens. The National Agency Checks and Inquiries (NACI) is required for non-U.S. citizens whose expected duration of association is more than 180 calendar days. The Special Agreements Check (SAC) is required for non-U.S. citizens whose expected duration of association exceeds 10 calendar days but is less than 180 calendar days.

NOTE: Completion of the Security Assurance does not permit non-employees access to classified information or to restricted areas.

2. **Procedure.** The responsible security contact should forward the investigative request package to the servicing security officer at least 30 calendar days before the subject's start of work/association at the facility. The security contact, not the subject, completes form OFI-86C, Items 1 through 12 and 14. The security contact ensures that confirm code "R" is clearly written in Block 7 and that the subject has signed and dated Block 13, Authorization For Release Of Information. The completed investigative package is then sent to the servicing security officer for processing.

3. Request Package.

a. Special Agreement Check.

- 1) Form OFI-86C, Special Agreement Check;
- 2) FD-258, Fingerprint Chart with OPM's designation in the ORI Block; and
- 3) Credit Release Authorization form.

b. National Agency Check and Inquiries.

- 1) Form SF-85, Questionnaire for Non-Sensitive Positions;



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- 2) Form OF-612, Optional Application for Federal Employment or resume/equivalent;
- 3) Form OF-306, Declaration for Federal Employment;
- 4) FD-258, Fingerprint Chart with OPM's designation in the ORI Block; and
- 5) Credit Release Authorization form.

4. Servicing Security Officer Action.

- a. Review the investigative request package for completeness;
- b. Ensure that the subject of each package is identified, the name of the contracting company, organization, or country of origin is clearly indicated, and that each package is clearly marked to indicate the risk designation;
- c. Ensure the operating unit is identified on the request memorandum; and
- d. Forward the completed package to OPM. Copies of the package may be required by the Office of Security. Contact the Office of Security for guidance.

NOTE: The security contact or servicing security officer may request a SAC on any non-employee if the expected duration of association is 180 calendar days or less and a permanent building pass will be issued. Otherwise, a temporary building pass will be issued for up to 180 calendar days. If a SAC is requested, it must be submitted to the Office of Personnel Management no later than three working days after the subject's start of association.

E.2 PERSONNEL SECURITY ACCESS INFORMATION

A. Transmitting Security Access Information.

1. Visits to other Government Agencies requiring SCI Clearance. Only the Department's Special Security Officer in the Office of Security can certify and transmit SCI clearances to other government agencies. The security contact shall provide the following information to the servicing security officer at least five working days in advance of the proposed visit. The servicing security officer will forward the submitted information to the Department's Special Security Officer at least three working days in



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advance of the proposed visit.

- a. Requestor's name and phone number.
- b. Visitor's name, date and place of birth, and Social Security Number.
- c. Security clearance required.
- d. Site of visit: name and locations of the agency to be visited.
- e. Dates of the proposed visit from and to.
- f. Name and phone number of the point of contact for the Project/Program causing the visit.
- g. Purpose of visit: (non-classified descriptor).

2. Visits to other Government Agencies not requiring SCI Clearance. The servicing security officer may certify an employee's security clearance to other government agencies after verifying such status in the Office of Security database. The Form CD-414, Visit Authorization and Clearance Certification Request will be used for this purpose. The security contact will complete the following items of the form.

- a. Item 1: Name of contact to be visited, organization, address, and telephone number.
- b. Item 2: Visitor's name, organization, address, and telephone number.
- c. Item 3: (Name only).
- d. Item 5: Purpose of visit.
- e. Item 6: Dates of visit.
- f. Item 8: Security points of contact, name, organization, address and telephone number.
- g. Item 9: Remarks.
- h. Item 10: Requestor's organization and date of request.



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i. Item 11 Need-to-Know Signature

3. Visits to a Department of Commerce operating unit in another servicing security officer jurisdiction. The servicing security officer may pass security clearance information directly to the servicing security officer of another jurisdiction within which the visit will take place. Such certification will use Form CD-414, Visit Authorization and Clearance Certification Request.

4. Visits to a Department of Commerce office within the servicing security officer's jurisdiction. The servicing security officer is responsible for confirming security access information to the head of the office to be visited. Such confirmation will be on the Form CD-414, Visit Authorization and Clearance Certification Request.

B. Personnel Transfers.

1. To another Government agency. The security contact is responsible for notifying the servicing security officer of all such transfers. However, agency requests for security clearance information, processing basis, and security file review will be handled by the Office of Security. All such inquiries received by the servicing security officer shall be directed to the Office of Security.

2. Within a Department of Commerce operating unit but between servicing security officer jurisdictions. The relinquishing servicing security officer shall forward, in a timely manner, a copy of the employee's Security Index record to the gaining servicing security officer. The gaining servicing security officer will be responsible for incorporating the security record information into his/her Security Index, and advising the Office of Security in writing of the change in jurisdiction and any change in position title, position sensitivity, and/or level of security clearance needed. The receiving servicing security officer must process upgrades or downgrades of security clearance.

3. To different Department of Commerce operating units between servicing security officers. The relinquishing servicing security officer's responsibilities will be the same as those shown in 2.B above. The gaining servicing security officer's responsibilities will also remain the same as in B.2, with the added responsibility of advising the Office of Security in writing, of the employee's new operating unit.

4. To different Department of Commerce operating units within the same servicing security officer's jurisdiction. The servicing security officer is responsible for informing the Office of Security in writing of the employee's new operating unit, position title, change in position sensitivity, if any, and new



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security clearance needs, if any.

5. Security Clearance does not automatically transfer with the individual. For Items B.2, B.3, and B.4, the servicing security officer should note that security clearances do not transfer with an individual. Any permanent change in operating unit, or even a significant change of duties within the same operating unit, requires that the security clearance be requested again and re-justified by means of Form CD-79. This is true even if the level of clearance remains the same.

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