

PRIVATE SECTOR PARTNERS: ACCESS TO CLASSIFIED INFORMATION

ACCESS TO NATIONAL SECURITY INFORMATION

The private sector plays a critical role in the preservation of American security and is an essential partner to the United States Government. Therefore, it is the policy of the FBI to share accurate and timely information with private industries to protect our citizens. In response to the increasing amount of threats to public

“WE NEED TO SHARE AS MUCH INFORMATION AS WE CAN, AS QUICKLY AS POSSIBLE, AND IN THE MOST USABLE FORMAT SO THAT THOSE OF YOU IN THE PRIVATE SECTOR CAN TAKE ACTION.”

-DIRECTOR JAMES COMEY

and private interests, the FBI has formalized a process to grant private sector partners access to classified information. The purpose of the initiative is to share sensitive information to enhance cooperative efforts between law enforcement, the Intelligence Community, and the private sector.

Most information shared is at an unclassified level; however, significant situations have demonstrated the necessity to share classified information, known as National Security Information (NSI). To

enable the timely and accurate dissemination of information, the FBI supports four types of access to

Access, Term Access, Secret Security Clearance, and Top Secret Security Clearance. In addition, an interim clearance may be granted under exceptional circumstances. Each type of access has unique eligibility requirements necessary to adhere to national security requirements.

NSI ACCESS ELIGIBILITY & CRITERIA

The FBI's goal is to ensure the right people have the right information at the right time to strengthen national security. Emergency Access, Term Access, and full security clearances granted to those who demonstrate an ability to contribute to national security accomplishes this goal. However, to safeguard NSI, access requests may be approved only if there is an official need in connection with FBI partnership and consistent with national security interests of the United States. As with all clearance holders and in compliance with Presidential Executive Order 13526, all individuals who access NSI must consent to

a background check appropriate to the clearance level granted.

Generally, NSI access criteria have five primary requirements; a candidate must be a US Citizen, demonstrate loyalty and trustworthiness to the United States, consent to a background investigation (BI), receive a security briefing, and sign a non-disclosure agreement prior to NSI access. The candidate must also have sponsorship from authorized FBI personnel as well as approval from a corporate Chief Security Officer, or designee. For specific criteria, please contact your local FBI Field Office.

Frequently Asked Questions

- Q:** How long does it take for a clearance to be granted?
- A:** It is the goal of the FBI to complete the processing and adjudication for a Secret clearance within 3 months and a Top Secret clearance within 4 months from receipt of the SF-86 reception. Processing time for each case may vary depending upon its complexity.
- Q:** What is an Interim Clearance?
- A:** Interim clearances can be granted in exceptional circumstances after the completion of an SF-86 and favorable initial background checks. An interim clearance permits the same access to classified information as a fully adjudicated security clearance.
- Q:** If I choose not to apply for a security clearance, will I still be informed about threat issues important to my organization?
- A:** Yes. If the FBI receives relevant information to the security of your organization, all available mechanisms will be used to provide you critical information.
- Q:** What if I am not sure I am eligible?
- A:** The FBI encourages every clearance candidate to be entirely honest when completing the SF-86; lack of candor can be an immediate disqualifier. In most cases, disqualifying factors do not result in any legal trouble and employers will not be notified as to why a candidate was deemed ineligible.
- Q:** What happens if I leave my duty position or service with my sponsoring company?
- A:** If the individual transfers to another company and requires access to NSI, the security clearance may be retained. If the person accepts federal employment with an agency requiring a clearance, the FBI may be able to transfer that clearance. Otherwise, the clearance is suspended and the individual debriefed out of clearance & access to NSI.

THE PROCESS

The four types of access: Emergency Access, Term Access, and Secret and Top Secret security clearances have unique characteristics to ensure timely and adequate information can be shared between the FBI and the private sector. Figure 1 depicts an overview of the required steps for each access type.

Emergency Access and Term Access

Emergency Access and Term Access are not considered security clearances; however, these contingency accesses enable the FBI to disclose classified information to an individual who is otherwise not eligible to access NSI. Emergency Access provides near-instantaneous disclosure of classified information in the event of an immediate and imminent threat, as determined by the FBI. Alternatively, Term Access provides disclosure of classified information to an individual under urgent circumstances, or when necessary, to thwart pending threats to life or in defense of national security. Term Access is typically granted for briefings at the Secret level wherein the attendee of the briefing is not expected to have a need for access in the future. Emergency Access and Term Access requires a favorable National Agency Check BI and do not permit unescorted access to FBI space, facilities, or access to any FBI information systems. Emergency Access and Term Access do not result in a security clearance.

Secret and Top Secret Security Clearances

Private sector personnel who have a demonstrated long-term or recurring need to access NSI are encouraged to apply for a Secret security clearance. A Top Secret security clearance decision is made on a case-by-case basis by evaluating if the candidate has a demonstrated and foreseeable need to access such information. If an individual’s organization has a cleared contractual agreement with the federal government, the FBI cannot sponsor a clearance.

Secret and Top Secret security clearances require additional background investigation checks and investigative measures not typically needed for Emergency Access or Term Access. Secret clearance requires at a minimum National Agency Check with Law and Credit and a Top Secret requires a Single Scope Background Investigation. After initial background checks are conducted, an interim clearance may be granted. Candidates are encouraged to contact their local Field Office for additional information.

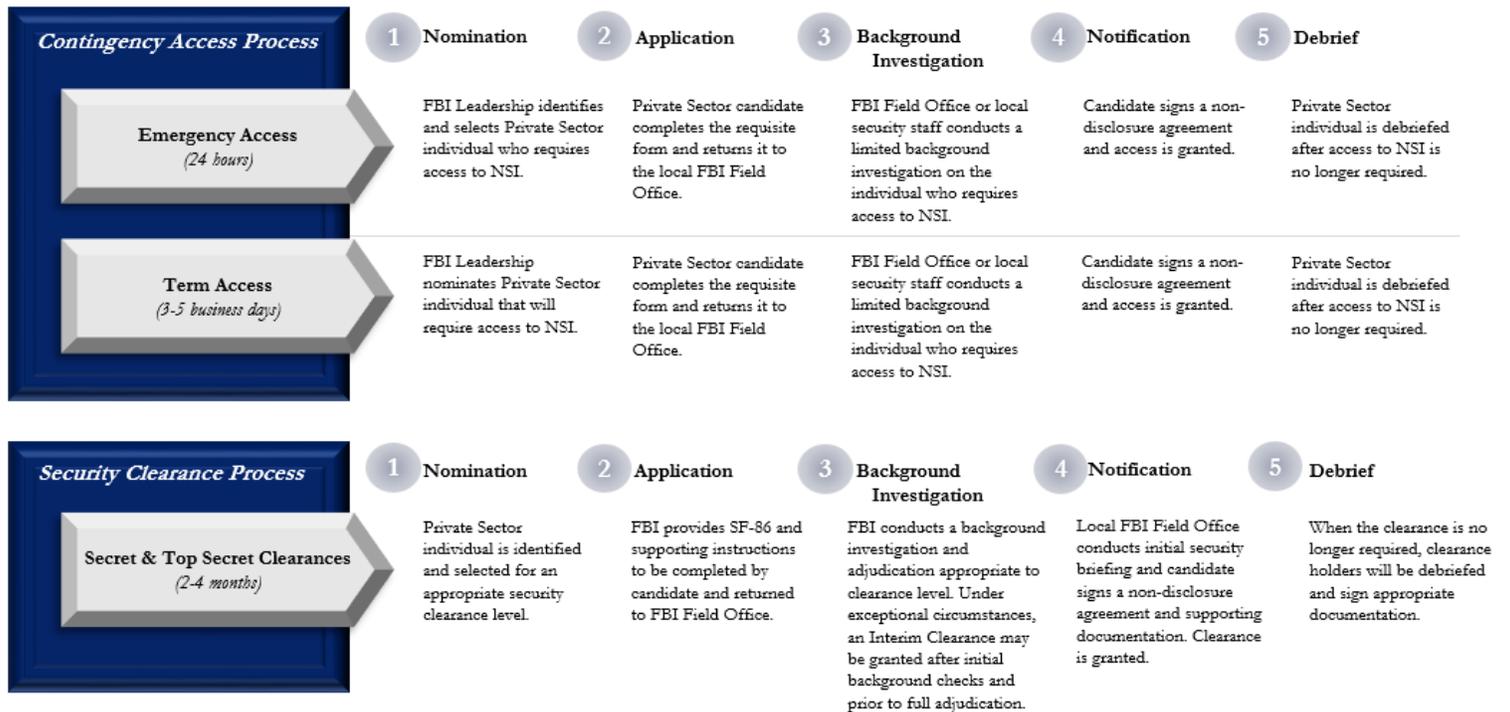


Figure 1: Access to National Security Information Process

For additional information, please contact your local FBI Field Office.