

SECURITY CLEARANCE REFORM

REDUCING BACKLOGS TO MEET GOVERNMENT NEEDS

The U.S. national security apparatus depends on timely and accurate investigation and distribution of security clearances to protect sensitive information, develop critical technologies, and maintain government operations. As of November 2018, the number of initial investigations before the National Background Investigations Bureau (NBIB) is over 500,000, and the number of pending periodic reinvestigations is at nearly 400,000. The Government Accountability Office has elevated this issue to its “High Risk” list citing the need for immediate reform. Investigation and adjudication delays have undermined the ability of industry to recruit and retain highly-skilled talent, have imposed significant programmatic and overhead costs, and have a detrimental impact on program execution.

The primary contributor to the backlog is the disjointed and uncoordinated investigation system that has remained largely unchanged since its inception in the 1940s. Despite recent attention by government stakeholders, the backlog persists as the investigative process restricts the application of modern technology to streamline communication, search public records, and record information. Average timelines for interim clearances currently exceed 322 days. Final adjudications for Secret clearances and Top Secret clearances take approximately 543 days and 320 days, respectively.

IMPACT

Clearance backlogs and delays have a pronounced effect on federal employees and government contractors, particularly those that support military, intelligence, and homeland security missions. Such impacts include:

- › Increase in contractor costs, which drives up the end user acquisition price.
- › Individuals are unable to work on special access programs.
- › Manpower deficiencies force contractors to no-bid proposals, limiting profits and decreasing jobs in the various support industries and trades.
- › Contractors face penalties for underperforming on existing contracts.
- › Out of necessity, prospective employees must find work in other sectors due to significant delays in start date.
- › Delay in development of critical technology necessary for the security of our nation and its warfighters.

NEXT STEPS

A pending executive order will transfer oversight of the clearance approval program from the NBIB to the Department of Defense. Many improvements are expected as the new organization, the Defense Counterintelligence and Security Agency, will have more than 10,000 investigators reviewing all government clearances. While this effort is expected to significantly reduce the backlog, additional reforms are necessary to implement an effective and efficient clearance system that protects sensitive information and utilizes advances in technology to appropriately manage risk.

To properly reform the security clearance review process government stakeholders must:

- › Implement a government-wide system of records that enables reciprocity – regardless of the department or agency that holds the clearance – and clearly articulates a clearance holder’s credentials, including caveats and current accesses.
- › Abandon the “first-in/first-out” investigation priority and adopt a risk-based approach that clears low-risk cases before expending limited resources on riskier time-consuming investigations.
- › Reconsider the need to perform a full FBI Criminal History Report as a condition for granting an Interim Secret clearance until existing backlogs are eliminated or, at least, granting interim clearances without such a check when an applicant’s history indicates low risk.
- › Defer low risk reinvestigations of current clearance holders until the backlog is eliminated.
- › Improve portability by standardizing clearance requirements between agencies, such as removing the Department of Homeland Security Suitability requirement.



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