



July 12, 2018

The Honorable John McCain
Chairman
Senate Armed Services Committee

The Honorable Jack Reed
Ranking Member
Senate Armed Services Committee

The Honorable Mac Thornberry
Chairman
House Armed Services Committee

The Honorable Adam Smith
Ranking Member
House Armed Services Committee

Dear Chairmen McCain and Thornberry and Ranking Members Reed and Smith:

As representatives of the industries supporting our national security, we write to urge you to include critical reforms to the security clearance process in the final conference report of the Fiscal Year 2019 National Defense Authorization Act (NDAA). The backlog of nearly 750,000 cases in process and the unacceptably long wait times for a security clearance are pressing matters for industry, but more importantly, they undermine the national security missions our members support.

Security clearance processes need to be better, faster and more secure. While there is no one action that will immediately reduce the backlog while maintaining the integrity of the process, there are concrete actions that Congress can take that will begin to address deficiencies and risks, modernize processes and procedures, reduce the backlog and speed up wait times, and carry out effective oversight of initiatives at federal agencies, while also taking steps to reduce the likelihood of maintaining an unacceptable backlog in the future.

Among those concrete actions is the enactment of three provisions in the Senate-passed NDAA, described below. These three provisions are mutually supportive of one another and they should be included in the final bill as a package.

Sec. 934. Program of expedited security clearances for mission-critical positions

Section 934 would require the Security Executive Agent to establish a program for the expedited processing of security clearances for mission-critical positions—to be filled by either Government or contractor employees—that would result in issuing a secret clearance in 15 days, and a top secret clearance in 45 days.

Currently, investigations are largely processed in the order they are received. While exceptions can be made, there are no standards for such accelerations. As a result, the Government and industry partners cannot recruit for many national security missions and cannot compete to hire the best and brightest when those individuals will have to wait months or often over a year before receiving a clearance. As a result, critical government missions are in jeopardy. Establishing a process where mission critical positions can be identified, prioritized, and filled in a timely manner would allow the Government and the contractor community to recruit top talent that can most effectively and efficiently execute the most critical government missions.

Sec. 935. Information sharing program for positions of trust

Section 935 would require the Security Executive Agent to establish a program to share information between and among Federal Government agencies and industry partners regarding individuals applying for and serving in positions of trust.

Currently, many companies do not have access to information on their own employees, information that may call into question the placement of trust by the Government. Many contractor employees work on federal facilities and on federal networks, and information on their performance is usually unavailable to the company. Government and industry should make information available to each other in a timely and secure manner to improve our collective ability to deter and detect insider threats that may compromise classified information. Better information sharing would enable all of the public and private sector to identify and respond appropriately to insider threat security warnings.

Sec. 936. Report on clearance in person concept

Section 936 would require the Security Executive Agent to submit a report to the congressional defense and intelligence committees on the requirements, feasibility, and advisability of implementing a clearance in person concept, which could permit an individual who has been granted a national security clearance to maintain eligibility for access to classified information, networks, and facilities after the individual has separated from service to the Federal Government or been transferred to a position that no longer requires access to classified information.

Currently, if a cleared government employee leaves service for even a few weeks, there is a risk that the whole multi-month investigative process must start over. Similarly, when a contractor employee moves from supporting one agency to another (or even from one contract to another within the same agency), that individual's clearance is typically re-adjudicated. We believe that providing a path for already-cleared individuals to move more easily among contracts will dramatically increase industry's ability to more efficiently and effectively support the government. This would further allow the government to redirect investigative resources toward higher risk and mission critical positions.

In addition, we support the inclusion of the House version's **Sec. 1086, *Compliance with requirements relating to reciprocity of security clearance and access determinations*** in the conference version of the bill. Section 1086 would require DoD to take necessary steps to ensure expedited compliance with section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 50 U.S.C. 3341(d)) which requires among other things that all security clearance background investigations and determinations completed by an authorized investigative agency or authorized adjudicative agency shall be accepted by all agencies. Section 1086 would reinforce achievement of the goals we have described above.

When announcing the Government Accountability Office's (GAO) decision to add the personnel security clearance process to its High Risk List, U.S. Comptroller General Gene L. Dodaro said: "Our objective for the High Risk List is to bring attention to policymakers of the need for action sooner, rather than later." We echo GAO's urgency and again urge the conferees to retain the Senate's sections 934-936 in the final bill.

We greatly appreciate your consideration of this request and look forward to working with you as the bill advances. Should you have any questions or comments, please do not hesitate to reach out to us, as we stand ready to assist in any way possible on these or other security clearance reforms you may consider.

Sincerely,

Aerospace Industries Association
Intelligence and National Security Alliance
Industrial Security Working Group
National Defense Industrial Association
Northern Virginia Technology Council
Professional Services Council

CC: Chairman Richard Burr and Vice Chairman Mark Warner
U.S. Senate Select Committee on Intelligence