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Testimony

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PERSONNEL SECURITY CLEARANCES

An Outcome-Focused
Strategy and
Comprehensive Reporting
of Timeliness and Quality
Would Provide Greater
Visibility over the
Clearance Process

Statement of Brenda S. Farrell, Director
Defense Capabilities and Management



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Madam Chairwoman, Ranking Member Myrick, and Members of the Subcommittee:

Thank you for the opportunity to be here to discuss the key findings in two reports that we recently released on the personnel security clearance process.¹ As you know, we conducted our review of personnel security clearance reforms in response to a request from the Chairman of the House Permanent Select Committee on Intelligence and you, Madam Chairwoman. We conducted a separate review on the existing personnel security clearance process within the Department of Defense (DOD) under the authority of the Comptroller General.² This is the third in a series of hearings in which you have asked GAO to testify; and this Subcommittee's oversight has helped focus attention on the need for security clearance reform.³

Personnel security clearances are used to verify that national security information—which in some cases could cause exceptionally grave damage to U.S. national defense or foreign relations if disclosed—is entrusted only to individuals who have proven reliability and loyalty to the nation. Following the terrorist attacks on September 11, 2001, the nation's defense and intelligence needs grew, prompting increased demand for personnel with security clearances. According to officials from the Joint

¹GAO, *Personnel Security Clearances: An Outcome-Focused Strategy Is Needed to Guide Implementation of the Reformed Clearance Process*. [GAO-09-488](#) (Washington, D.C.: May 19, 2009) and *DOD Personnel Clearances: Comprehensive Timeliness Reporting, Complete Clearance Documentation, and Quality Measures Are Needed to Further Improve the Clearance Process*. [GAO-09-400](#) (Washington, D.C.: May 19, 2009).

²This report discusses: (1) reporting on timeliness of processing DOD clearances, (2) completeness of the documentation for making initial top-secret clearance decisions for DOD personnel, and (3) reporting of the quality of the clearance process.

³GAO testified before this Subcommittee in February and July 2008 (see [GAO-08-352T](#) and [GAO-08-1050T](#)). In the past 2 years, GAO has also testified on concerns with the timeliness of the security clearance process, among other things, before (1) the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia of the Senate Committee on Homeland Security and Governmental Affairs, (2) the Subcommittee on Government Management, Organization, and Procurement, House Committee on Oversight and Government Reform, and (3) the Subcommittee on Readiness, House Committee on Armed Services.

Reform Team,⁴ about 2.4 million people—excluding some of those with clearances who work in areas of national intelligence—currently hold clearances, and the Office of Personnel Management (OPM) conducted about 750,000 national security investigations in fiscal year 2008. We have previously reported on delays and backlogs in security clearance processing, lack of reciprocity⁵ among agencies, and incomplete investigations. As a result of these long-standing issues, we have designated the Department of Defense’s (DOD) personnel security clearance program a high-risk area since 2005.⁶

In response to concerns about delays in processing clearances and other issues, Congress, including the House Permanent Select Committee on Intelligence, set goals and established requirements for improving the clearance process in the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA).⁷ Those requirements include, among other things, improving the timeliness of the clearance process, achieving interagency reciprocity, establishing an integrated database to track investigative and adjudicative information,⁸ and evaluating available technology for investigations and adjudications. IRTPA also requires the executive branch to provide a report to Congress, by February 15 of each year, on the progress made during the preceding year toward meeting IRTPA’s requirements for security clearances, including the length of time agencies take to complete investigations and adjudications, a discussion of impediments to the implementation of IRTPA’s requirements, and any other information or recommendations the executive branch considers

⁴The Joint Reform Team—which currently consists of cognizant entities within the Office of Management and Budget, Office of Personnel Management, Office of the Director of National Intelligence, and Department of Defense—was established in 2007 by the Director of National Intelligence and the Under Secretary of Defense (Intelligence) through a Memorandum of Agreement to execute personnel security clearance joint reform efforts.

⁵Reciprocity is an agency’s acceptance of a background investigation or clearance determination completed by another authorized investigative or adjudicative agency.

⁶GAO, *High-Risk Series: An Update*. [GAO-05-207](#) (Washington, D.C.: January 2005); *High-Risk Series: An Update*. [GAO-07-310](#) (Washington, D.C.: January 2007); and *High-Risk Series: An Update*. [GAO-09-271](#) (Washington, D.C.: January 2009).

⁷Pub. L. No. 108-458, § 3001 (2004).

⁸The security clearance process currently consists of six phases: requirements setting, application submission, investigation, adjudication, appeal, and renewal.

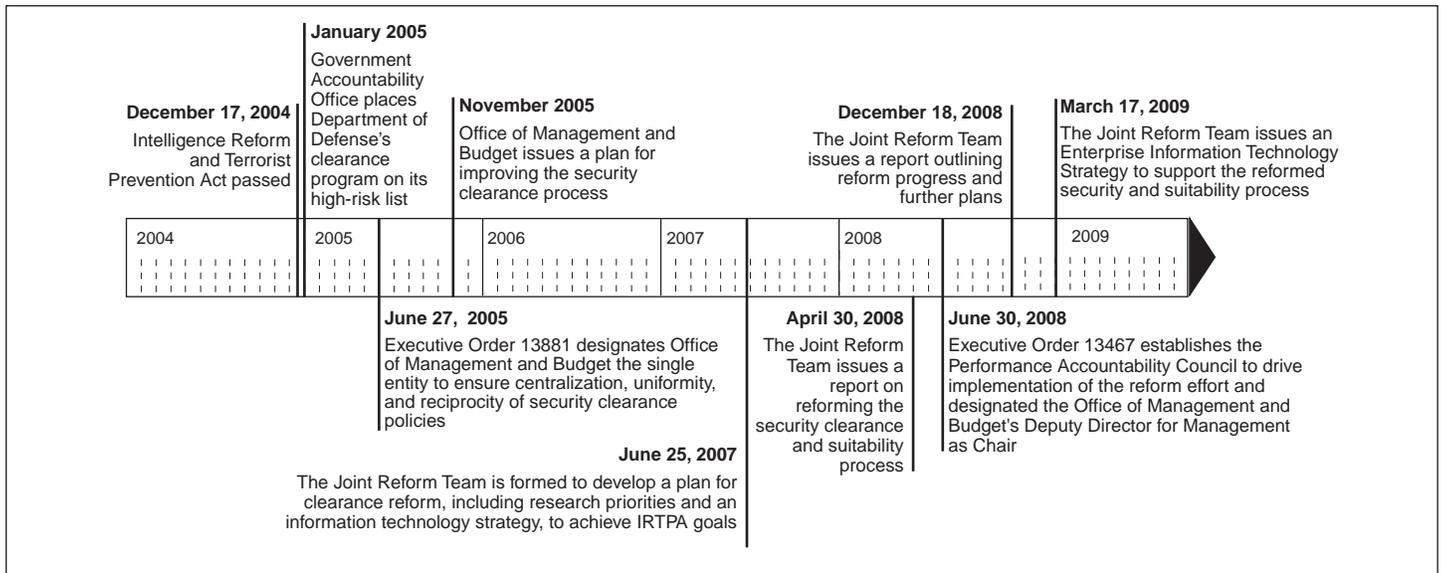
appropriate.⁹ While DOD and other executive branch agencies responsible for investigating and adjudicating clearances for federal personnel, military servicemembers, and government contractors have made significant progress toward improving the timeliness of the clearance process and evaluating the use of available technology in clearance processing, problems related to the quality of clearance investigations and adjudication determinations and in the use of information technology persist.

The Joint Reform Team was established to coordinate efforts to achieve IRTPA timeliness goals and improve the processes related to granting security clearances and determining suitability for government employment.¹⁰ In its April 2008 report, the Joint Reform Team called for an executive branch governance structure to ensure accountability and sustain reform momentum. In addition to the April 2008 report, the Joint Reform Team has provided two other key reports, which collectively communicate the reform effort's plans for reforming the security clearance process. First, in December 2008, the Joint Reform Team issued a report on the progress of the reform efforts and provided further details on the plans to implement reforms. Most recently, in March 2009, the Joint Reform Team finalized an Enterprise Information Technology Strategy to support the reformed security and suitability process and its associated milestones described in the April and December reports. Figure 1 highlights key events related to security clearance reform.

⁹On January 22, 2009, Representative Anna Eshoo, Chairwoman of the Subcommittee on Intelligence Community Management, House Permanent Select Committee on Intelligence, introduced H.R. 639, the "Security Clearance Oversight and Accountability Act." H.R. 639 would require additional annual reports to Congress, including identifying how many security clearances completed during the previous year took longer than 1 year to complete and the causes of significant delays in the completion of those clearances, and another including metrics for adjudication and investigation quality.

¹⁰ Determinations of suitability for government employment in positions in the competitive service and for career appointment in the Senior Executive Service include consideration of aspects of an individual's character or conduct that may have an impact on the integrity or efficiency of their service. Exec. Order No. 13467, *Reforming Processes Related to Suitability for Government Employment, Fitness for Contractor Employees, and Eligibility for Access to Classified National Security Information*, at § 1.2(1) (June 30, 2008) (citing 5 C.F.R. Part 731).

Figure 1: Key Events Related to the Security Clearance Reform Efforts



Source: GAO analysis.

My statement today will highlight the key recommendations from the two reports we recently released, which include (1) the need for a fully developed strategic framework for the reform process that includes outcome-focused performance measures to show progress and (2) more transparency in annually reporting to Congress on the timeliness and quality of the clearance process. My statement is based on our review of the Joint Reform Team's plans, as well as our work on DOD's security clearance process, which includes reviews of clearance-related files and interviews of senior officials at the Office of Management and Budget (OMB), DOD, Office of the Director of National Intelligence (ODNI), and OPM. In addition, this statement is based on key practices and implementation steps for mergers and organizational transformations.¹¹

We conducted our work on both reports between March 2008 and May 2009 in accordance with generally accepted government auditing

¹¹GAO, *Highlights of a GAO Forum: Mergers and Transformation: Lessons Learned for a Department of Homeland Security and Other Federal Agencies*. [GAO-03-293SP](#) (Washington, D.C.: Nov. 14, 2002) and *Results-Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations*. [GAO-03-669](#) (Washington, D.C.: July 2, 2003).

standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Initial Reform Efforts Have Partially Aligned with Key Practices but Lack a Fully Developed Strategic Framework with Outcome-Focused Performance Measures to Show Progress

Initial joint reform efforts have, in part, aligned with key practices that we have identified for organizational transformations, such as having committed leadership and a dedicated implementation team, but reports issued by the Joint Reform Team do not provide a strategic framework that contains other important elements of a successful transformation, such as a mission statement and long-term goals with related outcome-focused performance measures to show progress, and do not identify obstacles to progress and possible remedies. In September 2002, GAO convened a forum to identify and discuss practices and lessons learned from major private and public sector organizational mergers, acquisitions, and transformations that can serve to guide federal agencies as they transform their processes in response to governance challenges. Consistent with some of these key practices, in June 2008 Executive Order 13467 established the Suitability and Security Clearance Performance Accountability Council, commonly known as the Performance Accountability Council, as the head of the governmentwide governance structure responsible for achieving reform goals, driving implementation, and overseeing clearance reform efforts. The Deputy Director for Management at OMB—who was confirmed in June 2009—serves as the chair of the council. The Executive Order also designated Executive Agents for Suitability and Security.¹² The Joint Reform Team, while not formally part of the governance structure established by Executive Order 13467, works under the council to provide progress reports to the President, recommend research priorities, and oversee the development and implementation of an information technology strategy, among other things. Membership on this council currently includes senior executive leaders from 11 federal agencies. In addition to high-level leadership, the reform effort has benefited from a dedicated implementation team—the

¹²The Director of OPM was designated as the Executive Agent for Suitability, and the Director of National Intelligence was designated Executive Agent for Security.

Joint Reform Team—to manage the transformation process from the beginning.¹³

Although the high-level leadership and governance structure of the current reform effort distinguish it from previous efforts, it is difficult to gauge progress of reform, or determine if corrective action is needed, because the council, through the Joint Reform Team, has not established a method for evaluating the progress of the reform efforts. Without a strategic framework that fully addresses the long-standing security clearance problems and incorporates key practices for transformation—including the ability to demonstrate progress leading to desired results—the Joint Reform Team is not in a position to demonstrate to decision makers the extent of progress that it is making toward achieving its desired outcomes, and the effort is at risk of losing momentum and not being fully implemented.

In addition to the key practices, the personnel security clearance joint reform reports that we reviewed collectively also have begun to address essential factors for reforming the security clearance process, which represents positive steps. GAO's prior work and IRTPA identified several factors key to reforming the clearance process. These include (1) developing a sound requirements determination process, (2) engaging in governmentwide reciprocity, (3) building quality into every step of the process, (4) consolidating information technology, and (5) identifying and reporting long-term funding requirements.¹⁴ However, the Joint Reform Team's information technology strategy, which is intended to be a cross-agency collaborative initiative, does not yet define roles and responsibilities for implementing a new automated capability. GAO's prior work has stressed the importance of defining these roles and responsibilities when initiating cross-agency initiatives.¹⁵ Also, the joint

¹³According to the Joint Reform Team, over 70 personnel from DOD, OPM, and ODNI currently support its initiatives (including approximately 17 full-time staff).

¹⁴Establishing a sound requirement-determination process, building quality into every step of the process, and providing Congress with long-term funding requirements are identified in our previous work. See GAO, *Personnel Clearances: Key Factors to Consider in Efforts to Reform Security Clearance Processes*. [GAO-08-352T](#) (Washington, D.C.: Feb. 27, 2008). Establishing governmentwide reciprocity and developing and consolidating information technology are derived from § 3001(d) and (f) of IRTPA.

¹⁵GAO, *Information Technology: Customs Automated Commercial Environment Program Progressing, but Need for Management Improvements Continues*. [GAO-05-267](#) (Washington, D.C.: Mar 14, 2005).

reform reports do not contain any information on initiatives that will require funding, determine how much they will cost, or identify potential funding sources. Without long-term funding requirements, decision makers in both the executive and legislative branches will lack important information for comparing and prioritizing proposals for reforming the clearance processes. The reform effort's success will be dependent upon the extent to which the Joint Reform Team is able to fully address these key factors moving forward.

Therefore, we recommended that the OMB Deputy Director of Management, in the capacity as Chair of the Performance Accountability Council, ensure that the appropriate entities—such as the Performance Accountability Council, its subcommittees, or the Joint Reform Team—establish a strategic framework for the joint reform effort to include (1) a mission statement and strategic goals; (2) outcome-focused performance measures to continually evaluate the progress of the reform effort toward meeting its goals and addressing long-standing problems with the security clearance process; (3) a formal, comprehensive communication strategy that includes consistency of message and encourages two-way communication between the Performance Accountability Council and key stakeholders; (4) a clear delineation of roles and responsibilities for the implementation of the information technology strategy among all agencies responsible for developing and implementing components of the information technology strategy; and (5) long-term funding requirements for security clearance reform, including estimates of potential cost savings from the reformed process that are subsequently provided to decision makers in Congress and the executive branch.

In oral comments on our report, OMB stated that it partially concurred with our recommendation to establish a strategic framework for the joint reform effort. Further, in written agency comments provided to us jointly by DOD and ODNI, they also partially concurred with our recommendation. Additionally, DOD and ODNI commented on the specific elements of the strategic framework that we included as part of our recommendation. For example, in their comments, DOD and ODNI agreed that the reform effort must contain outcome-focused performance measures, but added that these metrics must evolve as the process improvements and new capabilities are developed and implemented because the effort is iterative and in phased development. We continue to believe that outcome-focused performance measures are a critical tool that can be used to guide the reform effort and allow overseers to determine when the reform effort has accomplished its goals and purpose. In addition, DOD and ODNI asserted that considerable work has already

been done on information technology for the reform effort, but added that even clearer roles and responsibilities will be identified moving forward. Regarding our finding that, at present, no single database exists in accordance with IRTPA's requirement that OPM establish an integrated database that tracks investigations and adjudication information, DOD and ODNI stated that the reform effort continues its iterative implementation of improvements to systems that improve access to information that agencies need. They also acknowledged that more work needs to be done to identify long-term funding requirements.

Executive Branch Reporting Does Not Provide Congress Full Visibility over Timeliness or Quality of Clearances

While our work also found that DOD and OPM met timeliness requirements for personnel security clearances in fiscal year 2008, the executive branch's 2009 required report to Congress does not reflect the full range of time it takes to make all initial clearance decisions. Currently, 80 percent of initial clearance decisions are to be made within 120 days, on average, and by December 2009 a plan is to be implemented under which to the extent practical 90 percent of initial clearance decisions are to be made within 60 days, on average. Under both requirements, the executive branch can exclude the slowest percentile, and then report on an average of the remaining clearances. The most recent report stated that the average time to complete the fastest 90 percent of initial clearances for military and DOD civilians in fiscal year 2008 was 124 days, on average. However, without taking averages or excluding the slowest clearances, we analyzed 100 percent of initial clearances granted in 2008 and found that 39 percent still took more than 120 days. By limiting its reporting on timeliness to the average of the fastest 90 percent of the initial clearance decisions made in fiscal year 2008, the executive branch did not provide congressional decision makers with visibility over the full range of time it takes to make all initial clearance decisions and the reasons why delays continue to exist.

In addition to limited visibility over timeliness of clearances, the executive branch's annual reports to Congress on the personnel security clearance process have provided decision makers with limited data on quality, and the executive branch has missed opportunities to make the clearance process transparent to Congress. For example, we independently

estimated that 87 percent¹⁶ of about 3,500 investigative reports prepared by OPM that DOD adjudicators (employees who decide whether to grant a clearance to an applicant based on the investigation and other information) used to make clearance decisions, for initial top secret clearances adjudicated in July 2008, were missing required documentation. We found, however, that DOD has not issued formal guidance clarifying if and under what circumstances adjudicators can adjudicate incomplete investigative reports. For DOD adjudicative files, we estimated that 22 percent¹⁷ were missing required documentation of the rationale for granting clearances to applicants with security concerns. Because neither OPM nor DOD measures the completeness of their investigative reports or adjudicative files, both agencies are limited in their ability to explain the extent to which or the reasons why some documents are incomplete. Incomplete documentation may lead to increases in the time needed to complete the clearance process and in the overall costs of the process and may reduce the assurance that appropriate safeguards are in place to prevent DOD from granting clearances to untrustworthy individuals. We have stated that timeliness alone does not provide a complete picture of the clearance process and emphasized that attention to quality could increase reciprocity—accepting another federal entity’s clearances—and the executive branch, though not required to include information on quality in its annual reports, has latitude to report appropriate information. We are encouraged that, while the 2009 report did not provide any data on quality, unlike previous reports it did identify quality metrics that the executive branch proposes to collect.

¹⁶This estimate has a margin of error, based on a 95 percent confidence interval, of +/- 9 percent and is based on our review of a random sample of 100 OPM-provided investigative reports for initial top secret clearances granted in July 2008 by the U.S. Army, U.S. Navy, and U.S. Air Force central adjudication facilities. In addition, we reviewed the investigative reports for the presence or absence of required documentation. Available information often did not allow a determination of why the documentation was missing. For example, required documentation could be missing because an investigator failed to gather the information or to document that the information was gathered. In either case, an investigative report would not provide an adjudicator with all of the information required by the federal investigative standards and OPM’s internal guidance.

¹⁷This estimate has a margin of error, based on a 95 percent confidence interval, of +/- 10 percent and is based on our review of a random sample of 100 DOD adjudicative files for initial top secret clearances granted in July 2008 by the U.S. Army, the U.S. Navy, and the U.S. Air Force central adjudication facilities. These adjudicative files are associated with the 100 OPM-provided investigative reports we reviewed and produced estimates from in the previous analysis about the documentation completeness in investigative reports.

Because the executive branch has not fully addressed quality or the full range of time to complete clearances in its reports, it has missed opportunities to provide congressional decision makers with full transparency over the clearance process. Therefore, in our recent report, we recommended that the Deputy Director for Management at OMB, as the Chair of the Performance Accountability Council, include (1) comprehensive data on the timeliness of the personnel security clearance process and (2) metrics on quality in future versions of the IRTPA-required annual report to Congress. We also recommended that DOD clarify its guidance to specify when adjudicators can use incomplete investigative reports in adjudication decisions and that OPM and DOD measure the completeness of their investigation and adjudication documentation to improve the completeness of future documentation. In commenting on a draft of our report, OMB concurred with both of our recommendations to that agency, commenting that it recognized the need for more reporting on timeliness and quality. OMB described some steps that the Performance Accountability Council is taking to address our recommendations, including developing measures to account, more comprehensively, for the time it takes to complete the end-to-end clearance process. In its written comments, DOD also concurred with both of the recommendations directed to the department, and described specific steps it expects to implement later this year to address the recommendations. Finally, in its written comments, OPM did not indicate whether it concurred with the one recommendation we made to that agency. Instead, OPM highlighted improvements it has made in reducing delays in the clearance investigations process since DOD transferred this function to OPM in 2005.

Concluding Observations

In my statement, I have highlighted recommendations from the two reports we recently released that, if implemented, will help the responsible agencies continue to guide the security clearance reform effort and improve the clearance process. We are encouraged that the Joint Reform Team's efforts during the past year have included several actions to improve the process, and we recognize that OPM and DOD are currently meeting IRTPA timeliness requirements, which represents significant and noteworthy progress. At the request of your Subcommittee, we will continue to monitor ongoing joint reform efforts with a focus on reciprocity and information technology advances, as well as efforts by the responsible agencies to implement our related recommendations, and we will continue to assess the impact of those efforts on the security clearance process governmentwide. Although the high-level leadership and governance structure of the current reform effort distinguish it from previous attempts at clearance reform, it is important to note that, in June

2009 the administration confirmed a vital leadership component necessary for sustaining the momentum achieved to date. OMB's new Deputy Director for Management will play a crucial role in deciding how to implement the recommendations contained in the reports we recently released, as well as prior recommendations on this issue, and in leading the reform effort in his role as chair of the Performance Accountability Council.

Madam Chairwoman, this concludes my prepared statement. I would be happy to respond to any questions that you or members of the Subcommittee may have at this time.

GAO Contact and Staff Acknowledgments

For further information about this testimony, please contact Brenda S. Farrell, Director, Defense Capabilities and Management, at (202) 512-3604, or farrellb@gao.gov. Key contributors to this statement include David Moser (Assistant Director), Lori Atkinson, Joseph M. Capuano, Sara Cradic, Susan Ditto, Cindy Gilbert, Shveta Khanna, James P. Klein, Greg Marchand, Shannin O'Neil, and Sarah Veale. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this testimony.

Related GAO Products

Personnel Security Clearances: Progress Has Been Made to Reduce Delays But Further Actions Are Needed to Enhance Quality and Sustain Reform Efforts. [GAO-09-684T](#). Washington, D.C.: September 15, 2009.

Personnel Security Clearances: An Outcome-Focused Strategy Is Needed to Guide Implementation of the Reformed Clearance Process. [GAO-09-488](#). Washington, D.C.: May 19, 2009.

DOD Personnel Clearances: Comprehensive Timeliness Reporting, Complete Clearance Documentation, and Quality Measures Are Needed to Further Improve the Clearance Process. [GAO-09-400](#). Washington, D.C.: May 19, 2009.

High-Risk Series: An Update. [GAO-09-271](#). Washington, D.C.: January 22, 2009.

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Personnel Clearances: Key Factors for Reforming the Security Clearance Process. [GAO-08-776T](#). Washington, D.C.: May 22, 2008.

Employee Security: Implementation of Identification Cards and DOD's Personnel Security Clearance Program Need Improvement. [GAO-08-551T](#). Washington, D.C.: April 9, 2008.

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