Webinar Questions and Answers

Processing a Security Violation

Webinar guests submitted several questions before and during the **November 19, 2015** ***Processing a Security Violation*** session. The following responses are provided by the Center for Development of Security Excellence (CDSE):

Question: A security violation that occurs on a government installation is the responsibility of the command to take the lead on the investigation. What is the company FSO's responsibility for reporting in this instance and when should the actions occur?

Answer: Once the security violation has occurred, the employee should report their involvement to their Facility Security Officer (FSO). The FSO should then confirm that the security command is handling the security violation, and that, if the culpability requirements of National Industrial Security Program Operating Manual (NISPOM) 1-304 are met, a culpability report will be submitted via Joint Personnel Adjudication System (JPAS) or faxed to the Personnel Security Management Office for Industry (PSMO-I). The goal is to ensure that the FSO is aware of the violation and that if required that the appropriate reports have been submitted to PSMO-I. Communication is the key to handle this situation between the employee, the FSO, and the Command Security Department.

Question: What if someone has a clearance, and is fired from his job at the client site, but it was due to poor performance. Does that need to be reported?

Answer: Under most conditions, if it is simply poor work performance, this is not reported as Adverse Information.

Question: The 15 days the FSO has to complete the Final Report, is this a NISPOM requirement?

Answer: This is not a NISPOM requirement. This is a Defense Security Service (DSS) internal guideline that we try to follow in order to ensure consistency throughout DSS and industry when it comes to handling security violations.

Question: If a violation occurs at the GCA site and they are conducting an investigation, does the company FSO also need to conduct an investigation?

Answer: Not usually, the FSO should ensure that the violation is being handled by the Government Contracting Activity (GCA) and no action is needed on the part of the FSO. In addition, the FSO needs to ensure all reporting requirements are being met as it relates to the cleared industrial employee. See Question 1 above for more information.

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Question: Can you describe in detail the difference between a security violation and a security infraction? Is there a difference?

Answer: A security violation is defined as a failure to comply with the policy and procedures established by the NISPOM that reasonably could result in the loss or compromise of classified information. Although the NISPOM does not define a security infraction, the DoD industrial security regulation describes a security infraction as "any other security incident that is not in the best interest of national security, but does not result in the loss, compromise, or suspected compromise of classified information."