OPEN HEARING:
PERSONNEL VETTING MODERNIZATION

HEARING

BEFORE THE

SELECT COMMITTEE ON INTELLIGENCE

OF THE

UNITED STATES SENATE

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

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MARCH 29, 2023

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OPEN HEARING: ON PERSONNEL VETTING MODERNIZATION

WEDNESDAY, MARCH 29, 2023

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC.

The Committee met, pursuant to notice, at 2:42 p.m., in Room SH–216 in the Hart Senate Office Building, in open session, the Honorable Mark R. Warner, Chairman of the Committee, presiding.

Present: Senators Warner (presiding), Rubio, Wyden, Heinrich, King, Bennet, Casey, Gillibrand, Ossoff, Collins, Cotton, Cornyn, Moran, Lankford, and Rounds.

OPENING STATEMENT OF HON. MARK R. WARNER, A U.S. SENATOR FROM VIRGINIA

Chairman WARNER. All right everyone, I'm going to call this hearing to order. The Vice Chair will be joining in a moment. I had a slightly longer statement today, with apologies to my colleagues. But before I get to the statement—I shared this with Senator Rubio's staff—I want to make sure Members know, since we are all completely on the same page. I had what would be called a frank and candid exchange with the Deputy Attorney General today on the issue of the classified documents. Some of the Members who yesterday realized that the Attorney General was, in a sense saying, you know we got no problem. We—and I thank Senator Moran for raising this in separate testimony—and we've had DOD, and I point this way—DOJ, point this way.

I think we're going to see some results very shortly. The position of the Administration cannot pass any kind of smell test. We have a job to do. You know, what is not about classification, the documents—responsibility for that is the Justice Department.

But our intelligence responsibility is paramount. And this Committee is completely united. I just want to make sure I could share that, not only with Members but frankly, the public needs to hear this, as well.

This hearing has had a little bit of a dark cloud over it. I think it's had to be rescheduled two or three times. Some of my colleagues who sit on the panel think I'm obsessed about this issue, which I partially am. I did not think security clearance reform, when we started this with Richard Burr about four years ago, was going to be a potentially career-ending task. I thought it could have been done relatively shortly. I think generally we're going to hear some good news today.

So, I want to, again, welcome today's Executive Branch witnesses: the Honorable Jason Miller, who is the Deputy Director of OMB and Chair of the Performance Accountability Council of the PAC. The Honorable Kiran Ahuja, Director of OPM and the Government's Suitability, Fitness and Credit Credentialing Executive Agent; the Honorable Stacy Dixon, who has appeared before us many times—and we appreciate her recent appearance before the BRT on that China brief—Principal Deputy Director for National Intelligence, PDDNI, representing the DNI as the Government's Security Executive Agency; and the Honorable Ronald Moultrie, the Undersecretary of Defense for Intelligence and Security, who handles the DOD side of this.

The Intelligence Committee has long prioritized the need to vet personnel for sensitive and national security positions effectively and efficiently to ensure classified information is properly protected. This is about getting the very best personnel into our intelligence agencies, and for that matter DOD, and into the contracting positions as well, in sensitive positions.

But also trying to make sure that companies and our government agencies don't waste time and money to bring people on board to address critical issues and then find out that we've simply opened ourselves up to our adversaries. It's obviously an even more difficult road in recent years. Our legacy vetting system was anchored around granting clearances to a workforce employed by government for a lifetime, with minimum mobility between agencies and companies. And we did this in a way that focused on one-time investigations. And then, regardless of what happened, a five-year later, second review. It took way too long, deterred applicants, and made mistakes. I remember one of our earlier hearings on this subject, where I know Senator Burr and a couple of the Members mentioned they either had family members or friends who had wanted to serve, for example, at the CIA. And it was close to two years before they could get their clearances. We were losing people. We were finding people on the contracting side not able to do their jobs in a way that was appropriate. And the truth was, the backlog, ultimately in 2015, got to 725,000 folks and it took over two years to get a top-secret clearance.

Let me be clear that I want to give compliments to the predecessors in the Trump Administration. They worked hard to bring that down. We brought it down to about 225,000, 250,000. We had to bump up on the adjudication process. But we have now, frankly at a steady state, we're in a pretty good spot. But we've got to make sure that—. We've still got more work to do. And this is going to require a whole-of-government effort, started under the last Administration, continuing in this Administration, the Trusted Workforce 2.0 Initiative to reimagine, from end to end, how we vet personnel. But we've got to make sure that—we've still got more work to do.

The truth is, we need to be able to do this on a continuous basis, not simply demonstrated by arbitrary timelines. We need to use the power of technology. We also need to make sure that we utilize machine learning, artificial intelligence, and other tools to make sure that we've got this appropriate information.

One of the reasons why the Vice Chairman and I are so concerned about some of the national security risks of TikTok is because if people's data is ultimately ending up in Beijing and that's then used to potentially blackmail someone, that could obviously completely preclude somebody from serving in our government.

So, the Trusted Workforce 2.0 Initiative rests on some core tenets.

First, it integrates the frameworks for security, suitability, fitness, and credentialing.

Second, it collapses, finally, the five tiers of determination for trust to three: low, medium, and high.

Third, the new model operates around five common personnel actions: the initiation, maintenance, upgrading, transfer, and reestablishment of trust.

Fourth, the new vetting. The new approach uses a behavioral model, as I mentioned, of continuous vetting to assess trust on an ongoing basis, rather than on this automatic five years, regardless of circumstances. And we've got to make sure this works not just for folks who work inside the government, but our industry partners, as well.

There's still work to be done. The IT backbone that will deal with this Trusted Workforce 2.0, DOD is developing, and needs to be tested, verified, and validated. We need to make sure that this process, again, works for folks on both sides, because we do want to encourage people going, for a while, in the government, going into the private sector, being able to come back.

And we need to make sure that, down to some of the nitty gritty we've gotten into—. For polygraphs on CIA personnel, others, how we make sure there is some reciprocity, for example, on those kinds of tests? We've got a lot of questions that we've had in some of the closed hearings: how we navigate issues like mental health, financial duress, marijuana usage, social media. We recognize the complexity of this.

But we've got to get this done. For this hearing, because it's in public, what we're going to go ahead and go in order of seniority, although I am going to allow Senator Gillibrand, who's got something to go to, to take my round of questions after Senator Rubio and after our witnesses present, because I'm going to stick on this until we get it done.

I very much appreciate the collaboration, cooperation, and our work with all of you so far. And with that, I'll turn it over to the Vice Chairman. Marco.

OPENING STATEMENT OF HON. MARCO RUBIO, A U.S. SENATOR FROM FLORIDA

Vice Chairman RUBIO. Thank you, Mr. Chairman. Thank you all for coming here.

Before we begin, just off topic—it's not what you're here to talk about. But I've sort of pledged to myself that any time we have any representatives of the Intelligence Community before us, that I would drive this point home, even though it's not directly under your jurisdictions.

But nonetheless, and I think it's probably directed to Deputy Director Dixon and Undersecretary Moultrie. And that is—let me just

make this broader point first. Intelligence by necessity, is something we keep out of the public eye. Right? Because we can't conduct it in the sunshine. But there has to be oversight.

And so that's why these Committees were created. And I'm actually very proud to be a Member of this Committee. Most of our work is not on camera. Maybe that's why most of our work is productive, nonpartisan and—and serious. There's no reason to show off in front of the cameras because no one's in there to watch that.

But I think also because all the Members on this Committee that are picked, individually by the respective leaders of the two parties, are people that take this task very seriously. And I'm very proud of the work that we do. But it only works if we have access, and we can conduct oversight. We have to know what the intelligence agency is, not because we're nosy.

This is not like—we can't tell anybody anyways. It's because we need to know. Because when things go wrong down the road, people are going to want to know why wasn't there oversight being conducted? And we know that classified information was removed from at least three—from individuals that previously served in the government, two of them as President, one as Vice President.

And we need to understand what that material was, so that we can determine whether the Intelligence Community has established both the appropriate mitigation and the appropriate risk calculus as to what was—could have been revealed. We do not have that. And the excuse is an unacceptable one, that there's a special prosecutor process going on and that, in no way—we're not interested in the criminal justice aspect of it. What we need to understand is, I would almost assure you we have access, already to almost all, most of the material.

We just don't know which ones they are. How can we make a judgment as to whether the proper risk calculus is in place and whether the proper mitigation of any is being implemented, if we don't know what it is or what we're talking about?

So again, I know it's not anything you two handle personally, directly, but I hope you'll go back and say that the Intelligence Committee raised it again today.

Chairman WARNER. Can I interrupt?

Vice Chairman RUBIO. Yeah.

Chairman WARNER. Because—just so that we show, Stacey, this was not pre-wired, before you got here, I shared with the Committee that I had a very frank and candid discussion with the Deputy Attorney General and basically said exactly the same things, that, while they promise documents, you know, within a week or so they have not performed, to date. And I think if we ask every Member on this Committee, we have a responsibility, the other 85 Senators—. So, I just want to echo what the Vice Chairman just said.

Vice Chairman RUBIO. Yeah. As I said, I think there's—everyone is very serious about it, and I hope we can find resolution on it.

The other one, and I'll be even briefer on this one, but I think is also important to us is, you know, we had a Chinese balloon go across the middle of the United States. It wasn't a weather balloon. Everybody acknowledges that it was a collection platform. We've had very little information or data provided to us. And in par-

ticular, no one's even truly informed us what role the All-domain Anomaly Resolution Office, AARO, has played in that regard. Again, I don't know what—maybe this is because it's a DOD/Intelligence Committee sort of overlap or whatever it is. These are things that we need answers to and we just—to think about how important that was and how little information has been provided to the Committees, particularly to this one, is something that I hope you will also take back as concern number two, in this regard.

Now on the topic that we're on today, I think it's a pretty straightforward one, and that is we need to be able to hire good people to come in and work for the Government. We need to know who they are. I think this is a challenge because the backlog builds up. There's been improvement after the 2016 DOD system was implemented.

But obviously, that doesn't apply to all of the IC. I think there are some issues with one agency not reciprocating the other. And then there's this—and I'm not saying it's unnecessary—but this Byzantine system of read into some programs, but not others. All of the different layers of compartments, and so forth.

But the main point is, I think it's getting increasingly difficult. I'm just telling you, from people that I know, I've actively tried to encourage people to pursue serving their country at one of the agencies. And it's just really hard, because when you go see them and you tell them well, you know, it'll take three or four years to clear you, two or three years to clear you, who can sit around for two or three years to wait to be hired, especially when we're competing with the private sector for some of this talent?

There are a lot of people willing to do it. So, I think that's where I'm most interested in learning. How do we balance the need to bring in people you can trust and understand who they are, with the desire to do it quickly enough so that this is a viable option for people that want to come work here and there?

I think there are ways to do it. I also think it's going to get more challenging. In some ways, you know, it's hard—probably easier to hire a 23-year-old, because they haven't traveled the whole planet. And frankly, I would imagine that for at least half that time of their lives, they weren't doing anything nefarious.

And the other half, well, you know, but we can manage it. But when you're 23, there's limited windows, as opposed to somebody who's 55 and has worked in the private sector and you need to know more about their background and the like. But I think the flip side of it is, I think it's going to be impossible in the years to come to hire someone who hasn't had a substantial social media profile platform.

What—and what that has exposed them to, whether it's data or places they've traveled or people they've interacted with or relationships they have. I also think the nature of espionage has changed. You know, it's not some James Bond figure rappelling off the side of a building. It might be someone who doesn't even know they're operating as a spy.

They think—but they're operating as an influence agent, and those sorts of relationships. So, all that is to say is, is this is a tricky problem, but what we've got to figure out and we want to

know what progress we're making on it, because we need to be able to attract talented people to serve our country in these roles.

So, thank you for coming in.

Chairman WARNER. Well, thank you, Senator Rubio. And again, we've got lots of questions, lots of Members here. I'm going to—I hope you've been told, but we're going to expect each of your opening statements to be no longer than three to four minutes and I'm going to enforce that. So, I'm not sure who is—who's up first?

Jason.

STATEMENT OF HON. JASON MILLER, DEPUTY DIRECTOR FOR MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET

Deputy Director MILLER. Thank you, Chairman Warner, Vice Chairman Rubio, Members of the Committee for the opportunity to speak today. And thank you for your continued leadership on personnel vetting reform. I am honored to testify alongside my colleagues. Collectively, we serve as the principles of security, suitability, and credentialing for the Performance Accountability Council, or PAC, established by President Bush in 2008. The PAC is the interagency body accountable for transforming personnel vetting.

Personnel vetting reform, as the Chairman noted, it has been a multi-year effort, spanning Administrations and benefiting from the consistent and bipartisan support of the Congress. Soon after my confirmation in April 2021, I convened the PAC Principles to consolidate the accomplishments of previous Administrations and make sure we were accelerating transformation.

As chair of the PAC, I have three primary responsibilities. First, establishing the overall direction for our reform efforts; second, co-ordinating the complex choreography of implementation across the entire federal enterprise; and third, ensuring accountability for execution. I want to highlight four themes from the written testimony I submitted for the record.

First, personnel vetting underpins a well-performing Federal government. Government service, whether military, civilian, or contractor, comes with important responsibility. The American public deserves a workforce they can trust who will not abuse access for personal gain to harm others or to undermine the country's security.

Implementing transformational reform of our personnel vetting system will allow agencies to identify potentially problematic behavior more quickly and accurately before acting, while ensuring that federal agencies are able to efficiently hire and onboard the personnel necessary to faithfully serve the American people.

Second, substantial progress has been made. Since the PAC last appeared before this Committee in January of 2020, the background investigation inventory has consistently remained below its target level of 200,000 cases, enabling sustained improvement in processing times. Since that hearing, the time needed to process top-secret and secret clearances have been reduced by more than 40 percent.

That has enabled a real focus on transformation. We have transferred background investigation operations to DOD, issued many of the key framework policies, and enrolled the entire national security sensitive workforce into continuous vetting. These decisive

steps ensure we moved away from solely addressing problems and towards implementing a wholly new system that will enable transformative impact.

Third, hard work remains. For example, successful adoption of Trusted Workforce 2.0 relies on the phased development and deployment of the DOD's personnel vetting information technology platform, called National Background Investigation Services, or NBIS. In 2023, this year, this includes transitioning from the legacy equipment platform used to process background investigations, to the more user-friendly EAP system.

Additionally, we must continue ensuring agencies will be prepared for upcoming reforms, such as the anticipated enrollment of non-sensitive public trust personnel into continuous vetting. Fourth, broad collaboration is critical to reform success. This includes cooperation across federal agencies and our partners in the federal contracting community.

And just as importantly, I want to acknowledge the bipartisan backing Congress has shown on personnel vetting, again across Administrations. Your engagement helps keep us accountable and on track to reach our milestones.

And thank you again for the opportunity to appear before the Committee today. I look forward to your questions.

[The prepared statement of the witness follows:]

Statement of
JASON S. MILLER
DEPUTY DIRECTOR FOR MANAGEMENT
OFFICE OF MANAGEMENT AND BUDGET

Before the
SENATE SELECT COMMITTEE ON INTELLIGENCE regarding
PERSONNEL VETTING REFORM

March 29, 2023

Chairman Warner, Vice Chairman Rubio, and members of the Committee, thank you for your continued bipartisan support for transforming our personnel vetting system, including holding today's hearing with the Security, Suitability, and Credentialing Performance Accountability Council (PAC). Over the course of our work together, my colleagues and I have developed a strong working dynamic among us, and I have deep respect for their commitment, dedication, and professionalism. Today's topic is an important one, and I look forward to updating you and the American public on the ongoing efforts to overhaul a process that has remained largely unchanged since the second World War.

I am here today as the Chair of the PAC. The PAC is the interagency body accountable for improving *personnel vetting*, which covers how the Government determines the trustworthiness of its workforce. Personnel vetting of Federal employees and Federal contractors is vital for ensuring Government agencies can better retain and quickly acquire the expertise needed to accomplish their missions. This is especially critical for organizations focusing on defense, intelligence, homeland security, and critical infrastructure. Improving vetting performance has been a priority for successive Administrations based on its substantial impact on enabling a well-performing government. The reform effort enjoys broad support from industry, which will specifically benefit from shorter onboarding times and more consistent processes.

The PAC is led by four Principal members, who are all here today. Their functional roles within the personnel vetting mission space are highlighted below, but each Principal will expand on these responsibilities in their statements. Collectively, our goal is to help guide you through why personnel vetting reform is important, how it is being achieved, progress to date, and our path forward.

- **Jason Miller – Deputy Director for Management, Office of Management and Budget (OMB)**
  - Chairs the PAC and sets overall direction for reform
  - Coordinates implementation and ensures accountability
- **Dr. Stacey Dixon – Principal Deputy Director of National Intelligence**
  - Sets personnel vetting policy for determining access to national security (classified) information
- **Ronald Moultrie – Under Secretary of Defense for Intelligence & Security**
  - Provides most background investigations for agencies and processes bulk of adjudications
  - Develops and operates enterprise personnel vetting information technology (IT)
- **Kiran Ahuja – Director, Office of Personnel Management**
  - Sets personnel vetting policy for suitability, fitness, and credentialing determinations

Background

Personnel vetting is the process through which the Federal Government determines whether individuals are sufficiently trustworthy to fill a certain role within its workforce. This process is applicable to all civilian employees, military personnel, and contractors at various levels depending on the work they will perform. Currently, nearly 7 million individuals receive some level of personnel vetting from the Executive Branch.

There are three general domains within personnel vetting. Simplified descriptions for each domain are provided below:
- *National Security*: Determines whether an individual is trusted to serve in a national security sensitive position, which can include (but does not require) holding a security clearance.
- *Suitability/Fitness*: Determines whether an individual can be trusted to perform the work they were hired to do for—or on behalf of—the Government.
- *Credentialing*: Determines whether an individual is trusted to be granted the ability to access Government facilities or IT systems.

All three domains function similarly. An agency first assesses the risk and sensitivity level of the position. Once they have identified a candidate, the Government collects information from the individual through a standard form and conducts a background investigation. The scope of this investigation depends on the risk and sensitivity level of the position sought. The more sensitive the position level, the more expansive the investigation. After collecting investigative information, the Government makes the appropriate trust determination(s). Most Federal positions require a suitability/fitness decision and a credentialing decision, while some also require a national security determination. The Government's trust determinations cover the wide range of positions entrusted to Federal employees and contractors. This can include occupations that care for veterans, teach service members' children, analyze classified materials, and build enabling systems for the intelligence community.

Simplified Relationship between Personnel Vetting Domain Criteria
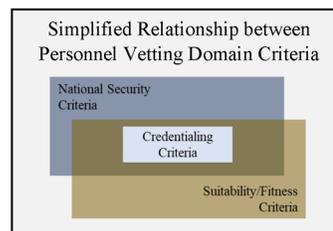
Over the past 75 years, the personnel vetting mission space has struggled to keep pace with the world changing around it. The primary technology used to process background investigations was developed almost 40 years ago and has not been significantly overhauled since. While most personnel vetting files have been digitized since the late 1990s, the Government was slow to adapt its underlying business and operational processes. When confronted with new challenges, the mission space often made workaround changes without fully aligning them to the existing policy framework. This created a relatively effective but generally inefficient process.

These inefficiencies contributed, in part, to multiple background investigation backlogs that slowed the onboarding of personnel, most recently between 2015 and 2019. Delays caused by these backlogs hindered the ability of agencies to onboard the workforce needed to accomplish their missions. This was especially detrimental to filling defense, homeland security, intelligence, and critical infrastructure positions focused on national security issues. Further, appalling betrayals by vetted personnel, such as Robert Hanssen and Aaron Alexis, also raised concerns regarding the overall effectiveness of the mission space.

Starting with the creation of the PAC under Executive Order 13467 in 2008 by President George W. Bush, the last four Presidential Administrations have attempted to address these problems. Since 2018, personnel vetting reforms have been pursued through the Trusted Workforce 2.0 initiative—or simply TW 2.0. These efforts include numerous policy and organizational changes made with bipartisan congressional support and backing from industry. My colleagues and I are building on our predecessors' successes and learning from their setbacks. Working more closely with Congress, industry, and affected agencies, current reforms offer the Government its most promising window to effect change in decades. It has led to significant accomplishments, such as eliminating the 2015-2019 background investigation backlog. This success reduced initial end-to-end security clearance processing from highs in Fiscal Year (FY) 2019 (**an average of 414 days for a Top Secret; 182 days for a Secret**) to sustainable levels today (**an average of 128 days for a Top Secret; 78 days for a Secret**).

Recent Background Investigation Inventory

Cases (*thousands*)

Goal (*200k cases*)

FY14 FY15 FY16 FY17 FY18 FY19 FY20 FY21 FY22 FY23
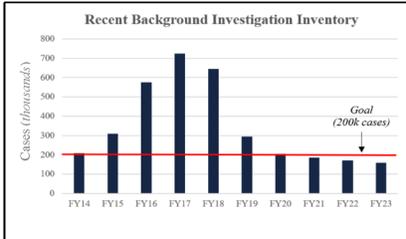
After eliminating the background investigation backlog, the PAC shifted towards implementing reforms that would more fundamentally improve the overall personnel vetting system. A key aspect of this change was the shift from periodic reinvestigations to continuous vetting. Under periodic reinvestigations, agencies would primarily focus on intermittent reviews for their national security workforce after the initial adjudication was approved. These reviews were typically every 5 years for Top Secret clearances, and every 10 years for a Secret clearance. Under a shift towards continuous vetting, personnel in national security positions are checked against relevant databases constantly. The PAC worked aggressively to stand up this capability. It used a phased approach that leveraged an initial continuous vetting capability—known as TW 1.25—by the end of FY2021. It expanded this capability to include additional data sources under an interim maturity stage—known as TW 1.5—by the end of FY2022. This system is in place today, and it is identifying potential security concerns much faster than intermittent periodic reinvestigations used under traditional vetting. Based on the Department of Defense's (DoD) analysis, this has **allowed the agency to identify potentially problematic behavior over a year-and-a-half faster for Top Secret clearance holders and approximately 7 years faster for Secret clearance holders**.

Continuous Vetting by Stage

Traditional ■ TW 1.25 ■ TW 1.5

Enrollees (*thousands*)

FY20-Q1 FY20-Q2 FY20-Q3 FY20-Q4 FY21-Q1 FY21-Q2 FY21-Q3 FY21-Q4 FY22-Q1 FY22-Q2 FY22-Q3 FY22-Q4 FY23-Q1
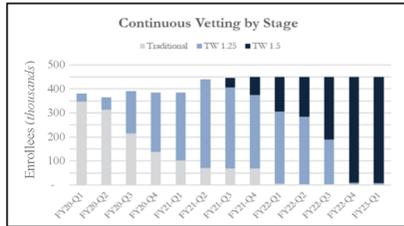
As the PAC Chair, I actively work with my PAC Principal colleagues and the larger interagency community to improve the mission space. My role is focused on effective cross-agency coordination, including administration of the governance structure used to drive reforms. I also provide accountability and facilitate transparency for reform progress. This includes working to ensure agencies are adequately planning their reform implementations, keeping the public aware of progress by publishing quarterly updates on Performance.gov, and regularly providing briefing updates to Congress, including this Committee.

As its Principals, we have convened the PAC as a full body every quarter since our confirmations. We quickly recognized the accomplishments made prior to our arrival, such as eliminating the background investigation backlog and improving timeliness. This led us to push even harder for additional reforms. Consequently, the four of us meet regularly to oversee implementation, typically several times per quarter. Enterprise-wide policy and aligned operational transformation requires this level of sustained leadership to be successful.

Calendar year 2022 was a critical year for implementing personnel vetting reform. Last year, we issued an implementation strategy to help coordinate progress across the Executive Branch and make the transition easier for agencies. Additionally, we published key policies that improved the personnel vetting system, including performance management, investigative standards, and adjudication principles. In order to mature the continuous vetting capability, we also shifted the national security workforce into a more robust slate of checks through TW 1.5. While we delivered on these substantial improvements, the remainder of FY2023 is crucial for ensuring we remain on a path to fully realizing the Trusted Workforce vision.

The Benefits of Reform

Ultimately, our leadership team will deliver a modernized personnel vetting system that is better designed to meet the challenges of today. Most importantly, the revised framework will allow agencies to make more informed decisions based on investigatory information that is provided more quickly. This is already happening by leveraging continuous vetting to flag potentially concerning information about a cleared member of the workforce quickly, and will be enhanced when we issue an improved investigation questionnaire that is simpler to understand and complete. Risk will be further reduced once the majority of personnel are processed through DoD's integrated personnel vetting IT system, which is under development and will feature more expansive cybersecurity protections.

In addition to improved effectiveness, agencies are already able to better accomplish their missions due to improved onboarding times. This is the result of numerous policy improvements, including greater standardization and more efficient processes across agencies. Additionally, agencies are beginning to emphasize faster onboarding of personnel, including by more quickly recognizing each other's determination that an individual is trustworthy. Broader improvements to the mobility of the workforce— military, civilian, and contractor—will be gained through automation once the majority of personnel can be processed through DoD's new IT system.

As we are implementing the new personnel vetting system, we are also focused on building a framework that can evolve over time. This includes a continued commitment to improving the effectiveness and speed of the process and greater flexibility in adapting to unanticipated threats and novel technologies that can impact risk.

Reform Direction & Leadership

Once confirmed by the Senate, I quickly reconvened the PAC Principals as a group to focus on furthering personnel vetting successes already achieved through TW 2.0. As the Chair, I work with my colleagues to define a clear vision of what the initiative must accomplish to be successful. I also serve to hold my fellow PAC Principals and the interagency accountable for achieving that vision.

Performing these roles includes working within the Administration to advance reform. I have highlighted some recent examples below.

A) *Inclusion within the President's Management Agenda.* The Biden-Harris President's Management Agenda (PMA) serves as a blueprint for equitable, effective, and accountable Government that delivers results for all Americans. Within the PMA, the Administration has highlighted personnel vetting as part of its strategy for Strengthening and Empowering the Federal Workforce. It specifically seeks to transform personnel vetting into a system that better supports agency missions and improves workforce mobility while mitigating risk. Released in November 2021, the PMA puts forth a whole-of-Government focus on critical reforms. It includes commitments from senior agency representatives on the President's Management Council to dedicate the time, energy, and resources to address the PMA's priorities.

B) *Prioritization as a National Security Issue.* Improving personnel vetting is a critical management reform area across the Executive Branch. However, it is especially a key issue for agencies and cleared companies working in the national security arena. In recognition of its importance and in alignment with the National Security Memorandum Revitalizing America's Foreign Policy and National Security Workforce, Institutions, and Partnerships, I worked with the Assistant to the President for National Security Affairs to issue a December 2021 memorandum entitled Transforming Federal Personnel Vetting to Cabinet officials and members of the intelligence community. The memorandum requested that these agency heads prioritize and immediately begin TW 2.0 reforms and designate Senior Implementation Officials (SIOs) to be accountable for their organizations' progress.

C) *Release of the TW 2.0 Implementation Strategy.* In April 2022, the PAC released the TW 2.0 Implementation Strategy to establish a roadmap for modernizing its personnel vetting reforms. The document, which was previously provided to the Committee, identifies actions that agencies are expected to implement to ensure success. This includes drafting agency-specific TW 2.0 Implementation Plans consistent with the Strategy that the PAC's leadership uses to hold agencies accountable for progress. My fellow PAC Principals and I were excited to endorse the Strategy as part of a broad effort to ensure agency SIOs had the information needed to achieve reform success within their respective agencies.

D) *Directing Agencies to Budget for Reform.* As the organization responsible for coordinating the President's budget each year, OMB provides annual guidance to agencies through its A-11 circular. The most recent version, issued in August 2022, included instructions for how agencies should budget for personnel vetting costs tied to their implementation plans as part of core workforce planning. This guidance encourages agencies to consider expenses related to enrolling personnel in continuous vetting, ensuring adequate personnel vetting staff, acquiring the IT resources necessary to implement reforms, and considering the use of personnel vetting shared services.

E) *Ensuring Alignment of Policy and Operational Delivery.* In keeping with my interagency coordination responsibilities for driving reform efforts and enterprise development, I work closely with my fellow PAC Principals to drive core policy updates—such as the recently issued investigative standards—developed in an aligned manner and on track with implementation milestones. I also confer with my colleagues on operational workstreams. This includes tracking timely continuous vetting enrollments, delivery of enabling IT systems, and responding to the

Government Accountability Office. My ultimate goal is to ensure that these efforts remain on track and meet policy, budgetary, and transparency requirements.

Driving Implementation & Accountability

One of my responsibilities as PAC Chair—in addition to lifting up personnel vetting efforts so its legacy of prioritization across successive Administrations continues—is to ensure reform guidance is understood and adopted across the Executive Branch. The most direct method the PAC leadership uses to accomplish this is through the TW 2.0 Implementation Strategy. This document organizes the highly complex choreography of reforms into thirteen strategic actions and establishes success indicators that illustrate whether each is on track to achieve the desired outcome. Additionally, the Strategy provides agencies with guidance, templates, timelines, and other tools to support their TW 2.0 Implementation Plans.

While a key instrument for driving reform implementation, the Strategy is only one of several reinforcing means available. Additional tools the PAC Principals use to encourage implementation progress include:

A) *TW 2.0 Executive Steering Group.* A group of senior Government officials representing key national security agencies, as well as senior representatives from industry. This group helps inform the strategic direction of the TW 2.0 initiative. It ensures both that the organizations most impacted by reforms are able to share their perspective and that programmatic decisions will usher in the desired direction. This also provides the opportunity to obtain the buy-in necessary to drive improvements and have them be effectively adopted.

B) *TW 2.0 Workforce Advisory Group.* An operational-level group representing personnel security offices across the Executive Branch. The PAC leadership works with this group to keep agencies up to date with changes and collect feedback. By keeping operational managers informed of anticipated reforms, they are better equipped to make the changes needed to adopt them. They are also pivotal for flagging issues that could undermine specific reforms under consideration before moving to the final implementation phase.

C) *Quarterly Committee Briefings.* These briefings are offered by senior PAC leaders to congressional staff members from the oversight, intelligence, armed services, homeland security, and appropriations committees of both chambers. The core intent is to keep Congress informed of progress in key reform areas. However, these briefings also help the PAC better understand which reforms might require additional scrutiny or prioritization.

D) *Performance.gov Quarterly Progress Reports.* Since the creation of TW 2.0, the PAC has provided updates to the public by posting progress reports on Performance.gov. These updates provide performance metrics and track what key milestones have been met. Reporting updates publicly ensures greater transparency and helps hold us accountable for achieving our objectives.

The Path Forward

Personnel vetting has come a long way over the last few years. As my colleagues will outline in their statements, modernized policy and tools have dramatically increased the speed and effectiveness of vetting processes.

Continuous vetting allows agencies to become aware of concerning behavior within their workforces faster than ever before. Some agencies—especially DoD—have reformed their processes to make reciprocal decisions quickly and with minimal bureaucratic delays. This has led to a dramatically improved experience for previously vetted personnel taking new jobs at different agencies.

Despite these successes, I recognize that substantial work is still ahead of us in order to meet all of our objectives. The PAC has released the policies and established core transitional capabilities, and now we must keep our focus on full agency-level implementation of the revised vetting framework through DoD's new end-to-end IT platform, currently under development. I fully expect, as with every major governmentwide reform of this scale, we will continue to experience bumps along the way. I am determined to have the PAC Principals and their staffs continue to work together until we reach our overall reform goals.

I look forward to continuing to work with the Committee on ensuring that TW 2.0 is a success for the American people. As we move forward, I would ask that you maintain the spirit of bipartisan participation that has enabled our successes to date over multiple Administrations. Additionally, I would like your assistance in two key areas:

1) Guide enactment of any legislative changes necessary to align existing statutes with TW 2.0 reforms, as required in the FY2023 Intelligence Authorization Act.

2) Help ensure that the PAC can remain focused on the most critical elements of reform by minimizing legislative requirements that do not address the most urgent reform issues.

While many of the historical challenges have been addressed in policy, we still have the significant task of implementing them across the Executive Branch and industry. Working together, we will implement a more effective personnel vetting system that will deliver a stronger workforce to the American public for decades to come.

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STATEMENT OF HON. STACEY DIXON, PhD, PRINCIPAL DEP-UTY DIRECTOR OF NATIONAL INTELLIGENCE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Deputy Director DIXON. Chairman Warner, Vice Chairman Rubio, Members of the Committee, thank you for this opportunity. I'm here representing the Director of National Intelligence, Avril Haines, who serves as the security executive agent for the Federal government and a key member of the Performance Accountability Council. As a security executive agent, she oversees national security background investigations and adjudications that are conducted in order to determine an individual's eligibility to access classified information or hold a sensitive position. Her responsibilities include issuing guidance to ensure the vetting processes are effective, efficient, timely, fair, and secure. This includes the use of polygraphs for those agencies that use them in their process. Director Haines and I fully support the Trusted Workforce 2.0 alignment of personnel vetting across suitability and fitness, credentialing, and security into one overall vetting model, with the tiers mentioned before.

We're leveraging technology and automation for initial background checks and for our transition from the traditional periodic reinvestigation model to a continuous vetting model that will improve our ability to detect risk earlier and mitigate that risk proactively. This transition is helping to deliver talent faster and retain and move that talent within the government to support mission.

Continuous vetting has now been successfully deployed for nearly all of the national-security-sensitive population, improving our ability to protect sensitive IT systems, facilities, people, and mission. Agencies with that sensitive population have been certified as having compliant personnel security programs that are able to implement the expanded capabilities that are now allowing us to identify concerning information sooner, so employers can intervene early and leverage resources, such as employee assistance programs that can help individuals and create the conditions for retaining them as valuable, productive members of the workforce.

Working with OPM, we are entering the final stages of updating the personnel vetting questionnaire standard forms that applicants fill out. The updates are taking into account feedback that we receive from agencies and the public. Our goal is to ensure better alignment of information collection efforts and what we believe will be an improved, overall applicant experience.

This effort also provides an opportunity to better align security vetting into our Nation's changing societal landscape by providing clarity on what information will be collected and reviewed, including on matters such as past marijuana use and mental health. Director Haines and I also believe that it is fundamental to our national security to ensure that we recruit and retain a diverse workforce that is representative of our American society.

The Intelligence Community is making strides in this regard and remain dedicated to removing any structural and cultural barriers that might prevent or discourage qualified applicants from applying for jobs with the Federal government, including within the In-

telligence Community. We're also focused on eliminating any perception of bias in the security clearance vetting process.

We have been working to update our national training standards for security adjudicators and background investigators. The standards will include a renewed focus on treating candidates fairly and consistently throughout the entire vetting process. We're also committed to taking into account views from multiple partners, including interagency security personnel, civil liberties and privacy experts, hiring officials, legal advisers, Congressional Committees, and industry partners.

Our dialog with industry partners in particular has never been stronger, and we are committed to working closely with them to tackle their concerns and challenges head on.

Mr. Chairman, I will close my remarks by saying that this entire reform effort will continue to require strong senior agency leadership, support from Congress, especially this Committee, in order that we can achieve these goals that we share.

I thank you and I look forward to your questions.

[The prepared statement of the witness follows:]

Statement for the Record

The Honorable Stacey A. Dixon, Ph.D.
Principal Deputy Director of National Intelligence

Hearing on Personnel Vetting Reform
Senate Select Committee on Intelligence

Wednesday, March 29, 2023

Chairman Warner, Vice Chairman Rubio, and Members of the Committee, thank you for the opportunity to appear before you today to discuss our significant progress on personnel vetting reform. I am pleased to be here representing Director of National Intelligence (DNI) Avril Haines, who serves as the Security Executive Agent (SecEA) for the Federal government and a key member of the Security, Suitability, and Credentialing Performance Accountability Council (PAC). In her role as the SecEA, the DNI is responsible for overseeing background investigations, adjudications, and, as applicable, polygraphs for eligibility for access to classified information or to hold a sensitive position. Her responsibilities include developing and issuing uniform and consistent policies and procedures, along with exercising oversight, to ensure that these vetting processes are effective, efficient, timely, fair, and secure.

It has been more than three years since PAC representatives were last before you discussing the topic of personnel vetting reform. That was in January of 2020, shortly before the COVID-19 pandemic began. At that time, our predecessors provided updates on the Office of Personnel Management's National Background Investigative Bureau transition to the Defense Counterintelligence and Security Agency, the status of the steady state of the background investigation inventory, progress on the DNI's Continuous Evaluation System, and an outline of the proposed framework to transform the personnel vetting process, known as Trusted Workforce 2.0 (TW 2.0). This transformation effort has introduced a risk-based model that leverages modern IT, improves timeliness of personnel vetting, reduces complexity, eliminates repetitive and duplicative checks, and better utilizes resources. Our PAC predecessors noted then that the approach would be iterative with actual implementation of policies beginning in late 2022. I am proud to say that, despite a global pandemic, we have stayed committed to

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those timelines. In fact, last year was the most consequential year of TW 2.0 to date. In coordination with my partners testifying today, a number of personnel vetting policies, guidelines, and standards were jointly issued that will allow departments and agencies to implement the actual changes envisioned when TW 2.0 was in the initial planning stages. I would like to highlight some of those original drivers for reform, notable progress, and overall impact.

At the heart of TW 2.0 is reform, transformation, and modernization. By aligning personnel vetting across the suitability/fitness, credentialing, and national security mission spaces into one vetting model, leveraging technology and automation, and shifting away from the traditional periodic reinvestigation model, TW 2.0 seeks to deliver talent to mission faster. Doing so also helps to improve the mobility of the workforce to respond to mission needs, and, ultimately, aids the ability to detect risk earlier, while mitigating risk more proactively. Essentially, this effort is creating a more trusted workforce from a risk-management perspective.

Through the issuance of several policy documents, we have created guidelines and standards that identify intended outcomes for personnel vetting. We have outlined an engagement approach that emphasizes trust in the process and shapes a culture of personal accountability and shared responsibility between the investigative subject and the security practitioner. We revised the investigative standards and issued new performance management standards with measures and metrics to ensure that activities and services meet desired outcomes. Later this spring, we expect to issue revised National Training Standards for security adjudicators and background investigators that align with TW 2.0 goals for enhancing the quality of investigations and adjudications, to include a renewed focus on the importance of mitigating bias, as well as ensuring cultural competency, fairness, and consistent, equitable treatment of all individuals who are being vetted. We are also finalizing the information collection approval process for the personnel vetting questionnaire standard forms that we ask applicants to fill out during their background investigations. The updates are based on feedback from agencies and the public and will ensure better alignment of information collection efforts and what we believe will be an improved overall applicant experience.

We have successfully introduced a continuous vetting (CV) capability for the national security sensitive population that allows us to transition away from the traditional periodic reinvestigation model. In fact, ODNI has now certified 54 departments and

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agencies with national security sensitive populations as having compliant personnel security programs that are able to implement expanded capabilities through a combination of automated record checks and agency-specific information. CV is now identifying adverse information in real time and creating the ability to respond to information much more quickly. Not only is it improving the protection of IT systems, facilities, people, and mission, but CV also incorporates a wellness factor by allowing for earlier identification of problems such as financial hardships, substance abuse, and addictive behaviors. By identifying these issues more quickly, employers are now able to intervene early and leverage robust resources, such as Employee Assistance Programs, to address concerns and retain employees as valuable, productive members of the workforce.

Although more needs to be done to institutionalize these transformative reforms, TW 2.0 is already demonstrating its effectiveness, as it works to produce the benefits envisioned during its inception, as my colleagues and I are prepared to discuss further with you today.

Additionally, DNI Haines and I believe that it is fundamental to our national security to ensure that we recruit and retain a diverse workforce made up of people who think differently, see problems differently, and overcome challenges differently. The Federal workplace must be representative of our American society. The Intelligence Community is making strides in this regard, and we recognize that we must continue to work to eliminate any perception of bias in the security clearance vetting process. As such, we are dedicated to removing structural and cultural barriers that might prevent qualified personnel from applying for jobs with the Federal government and encouraging a wider, more diverse applicant pool from across the country. We will continue to ensure that personnel vetting reform includes consistent, fair, and transparent processes.

The PAC also recognizes the nation's changing societal landscape. The TW 2.0 effort provides an opportunity to better align security vetting with these societal changes and provide guidance to address how investigators and adjudicators review matters such as past marijuana usage, mental health, and gender identity. The personnel vetting process must evolve and modernize to align with societal changes. To stay current, TW 2.0 also includes a commitment to further the education and training of security professionals to ensure that cultural competencies are understood and candidates are respected throughout the entire personnel vetting process.

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As my predecessors stated before this committee in 2018 and again in 2020, an overhaul of personnel vetting could not occur overnight. To make meaningful change, like that which we are seeking to do, requires an iterative process with milestones and deliverables along the way.

Although we have made tremendous progress in the area of personnel vetting, we have not done so in a vacuum. The PAC continues to work collectively as well as take into account views from multiple partners including interagency security personnel, civil liberties and privacy experts, hiring officials, legal advisors, industry partners, and Congressional committees.

I would like to particularly emphasize the important role that our industry partners play as they have been instrumental in our ability to make sustained progress. Our engagement and outreach with representatives from industry has never been stronger. Their voice and advocacy for transformation has assisted the TW 2.0 team with tackling concerns and challenges head on. Industry has advocated for the elimination of periodic reinvestigations, reciprocal treatment of clearances, a single uniform policy structure, and a reengineered approach to personnel vetting processes. Our approach has followed this path and accomplished goals that address many of their initial concerns. We will continue to work with industry and ensure that their voices are heard as we continue to refine our implementation strategies.

Recognizing the significant successful accomplishments over the last few years, we must leverage this momentum and stay focused on improving and completing the TW 2.0 transformation. This will continue to require strong senior leadership commitment and support from Congress to achieve final implementation.

Thank you for providing me the opportunity to testify before this committee on our successful TW 2.0 journey thus far. I am happy to address any questions.

STATEMENT OF HON. KIRAN AHUJA, DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT

Director AHUJA. Chairman Warner, Vice Chairman Rubio, Members of the Committee. Thank you for the opportunity today to testify on personnel vetting reform. It is my honor to lead OPM and its work within the Suitability, Security, and Credentialing PAC. I look forward to discussing the progress we are making on Trusted Workforce 2.0, including reducing time to onboard new hires, continuous vetting, increased mobility, and improving the vetting experience for applicants, as well as our next steps on this important topic.

The Federal government's most important asset is its people, and OPM is committed to helping federal agencies find and recruit the best talent. But it's not enough just to attract talent. We must sufficiently vet future employees and efficiently onboard them in a timely manner. Reducing time to onboard new hires while maintaining a trustworthy civil service is a key priority for OPM. Working with our PAC partners, Trusted Workforce 2.0 will transform and modernize how the Federal government vets individuals.

For example, last May, Director of National Intelligence Haines and I issued new federal personnel vetting investigative standards to agencies, marking a key milestone in the initiative. The new standards make three improvements that I'd like to highlight today. First, technology and automated record checks make it easier and faster for agencies to make a preliminary determination, so an individual may start working in their position more quickly.

Second, continuous vetting improvements assess risk in near real time by providing insight into whether an individual presents a risk to national security or an agency's mission.

Third, a new, three-tiered structure for background investigations replaces the five-tiered model to streamline background investigations and more easily transfer trust determinations.

These improvements have enabled us to establish an ambitious set of targets for initial vetting. Chief among them is we anticipate onboarding determinations can be made on the majority of individuals being vetted for positions that require top security clearances within 30 to 45 days, and a target of 25 days for secret level positions. We are committed to achieving these targets as we realize the full potential of the Trusted Workforce model.

Another critical piece of the Trusted Workforce 2.0 vision is improving the experience for individuals completing the investigative questionnaire. The updated PVQ, or Personnel Vetting Questionnaire, replaces four current questionnaires with one streamlined questionnaire.

It also features clear instructions, simplified questions, and plain language, all of which is designed to benefit the applicant. Together with ODNI, DOD, and OMB, we have made tremendous progress on Trusted Workforce 2.0. As we continue to implement this initiative, we hope to see further improvements in reducing the time required to onboard new hires, enhancing risk management by identifying potential security threats sooner, and improving Workforce—Workforce mobility.

I look forward to discussing the transformational framework we have established and how this will improve efficiency and accuracy

of the vetting process. Thank you, again, Chairman Warner, Vice Chairman Rubio, and all the Members of the Committee.

I look forward to your questions.

[The prepared statement of the witness follows:]

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

STATEMENT OF KIRAN A. AHUJA
Director
U.S. Office of Personnel Management

BEFORE THE

Select Committee on Intelligence
United States Senate

HEARING ON

"Federal Personnel Vetting Reform"

March 29. 2023

Chairman Warner, Vice Chairman Rubio, and Members of the Committee, thank you for the

opportunity to testify today on federal vetting reform and the critical work of federal

employees. The federal government's most important asset is its people and, as the strategic

human capital leader for federal agencies, the Office of Personnel Management (OPM) is

committed to helping federal agencies aggressively seek out new talent. From attracting early-

career talent who are just starting their careers, to mid-career experts who want to serve the

American people, and welcoming back former federal employees, OPM has been focused on

helping agencies rebuild the federal workforce while making sure that we are drawing from a

diversity of backgrounds, perspectives, and viewpoints.

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Of course, it is not enough to just attract talent. We must employ processes that both sufficiently vet future employees and onboard them in a timely and efficient manner. This is a priority for the Administration, which has made vetting reform a priority in the President's Management Agenda.

At OPM, we are committed to doing just that, working alongside our partners on the Suitability, Security, and Credentialing Performance Accountability Council (PAC) on these shared goals. I am pleased that these PAC partners—my colleagues from the Office of Management and Budget (OMB), the Office of the Director of National Intelligence (ODNI), and the Department of Defense (DOD)—have joined me here today. They all have been critical partners as members of the PAC as we work to ensure that our nation has the trusted federal workforce it needs.

There are three main topics I want to cover today:

- OPM's role within the PAC and the importance of suitability and vetting;

- The progress OPM and PAC partners have made in implementing the PAC's Trusted Workforce 2.0 initiative, including reducing time to onboard new hires, expanding continuous vetting, enhancing mobility, and improving the vetting experience; and

- Our next steps as we work with agency partners to improve personnel vetting.

OPM's Role as Executive Agent and Importance of Suitability / Credentialing

OPM is the Suitability and Credentialing Executive Agent for the Executive Branch. This means that we establish policy for suitability and credentialing standards and delegate decision-making to the heads of agencies about their applicants and employees. Together with the Director of

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National Intelligence, Avril Haines, who serves as the Security Executive Agent for policy and oversight of the federal government's vetting process for eligibility to access classified information or to hold sensitive positions, we are responsible for policy and oversight of the federal government's personnel vetting process. We work closely with our PAC partners to promote consistent application of these processes across the Executive Branch.

Regardless of the type or level of a federal government position, it is imperative that individual employment decisions do not create an unacceptable risk to safety or the agency's mission. This requires agencies to determine if individuals can be entrusted to perform certain work. OPM provides the standards that agencies use to make the suitability determination as to whether a person's character or conduct will have a negative impact on the integrity or efficiency of the agency or disqualifies a potential employee.

Agencies must also decide whether to issue a Personal Identity Verification (PIV) credential to an employee or contractor, permitting access to federal facilities and information systems. To assist agencies with these decisions, OPM provides the standards that agencies use to make the credentialing determination as to whether issuing a PIV credential would pose an unacceptable risk to people, property, or information systems.

A background investigation is used to inform suitability and credentialing decisions and for decisions of eligibility for access to classified information or to hold a national security sensitive position, when appropriate. As the Executive Agents for personnel vetting, Director Haines and I establish the investigative standards that dictate the checks to be performed for suitability,

credentialing, national security, and the cycle for follow-ups. We have also aligned the investigations for suitability, fitness, credentialing, and security so that one investigation may serve all three purposes – determining suitability or fitness to work for or on behalf of the federal government, determining PIV credentialing, and deciding eligibility for access to classified information or to serve in a sensitive position.

As we work to implement the President's Management Agenda on Suitability and Credentialing, OPM and our partners are united in our efforts to transform personnel vetting to better identify risks, support mission areas, and improve workforce mobility.

Trusted Workforce 2.0

Historically, agencies have experienced delays in the process of clearing individuals to begin work. Only a few years ago, the background investigations inventory exceeded 725,000 and the investigative process exceeded a year on average for individuals seeking to occupy critical sensitive positions, slowing agencies' ability to execute on mission in a timely manner. Delays in processing reinvestigations also inhibited the ability of individuals to change positions within and across agencies.

Through our and our PAC partners' efforts, the inventory improved and returned to a steady state with a reduction in the time to clear individuals. But more change was needed. The vetting system remained vulnerable to disruptions that could aggravate inventory management and vetting timelines. These challenges affected not only the onboarding and mobility of federal employees but also contractors who support agency missions.

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To meet these challenges, the Executive Agents and our PAC partners have established the Trusted Workforce 2.0 (TW 2.0) initiative, which is transforming how the federal government evaluates individuals for a trusted workforce. The initial phase of this initiative successfully drew down the investigative inventory to a steady state. A critical piece to complete the TW 2.0 vision is modernizing the federal government's approach to personnel vetting investigations. It is critical to find solutions that are minimally susceptible to delays while also promoting and prioritizing the continued integrity of the workforce.

The old system was designed decades ago and built on a largely manual framework for collecting and processing data. Today – driven by significant changes to agency missions, societal norms, the threat landscape, and key technological advances and efficiencies – we have established, and agencies are implementing, a more efficient system that both meets agency needs for information gathering and provides transformational reform.

TW 2.0 Guidelines and Standards

The foundation of TW 2.0 is the Federal Personnel Vetting Core Doctrine, which outlines the elements and intended outcomes of successful personnel vetting and policy. The doctrine underscores shared responsibility to establish and maintain a culture of trust across the federal workforce.

TW 2.0 is supported by a comprehensive suite of guidelines describing the outcomes of successful implementation and standards for how to achieve those outcomes. Last year, to guide the development of standards for the various personnel vetting elements, the Executive Agents issued three sets of guidelines.

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First, Federal Personnel Vetting Guidelines provide a risk management approach for personnel vetting, guiding our subsequent issuance of investigative standards and Common Principles in Applying Federal Personnel Vetting Adjudicative Standards, which assists agencies by highlighting and aligning commonalities in adjudication across security, suitability, and credentialing adjudications.

Second, Personnel Vetting Engagement Guidelines set out the outcomes we wish to achieve in interactions between personnel vetting practitioners and individuals going through the vetting process.

Third, Federal Personnel Vetting Performance Management Guidelines describe the outcomes we seek to achieve in establishing performance metrics for personnel vetting.

In addition to and consistent with these guidelines, OPM and ODNI have also issued two key standards documents.

First, in May 2022, we issued Federal Personnel Vetting Investigative Standards for agencies, which was one of the key milestones in the process.

Second, we issued Federal Personnel Performance Management Standards in September 2022. These standards establish key performance measures to assess the success of personnel vetting programs through robust performance management that measures efficiency, effectiveness, fairness, and risk across the federal personnel vetting enterprise.

The TW 2.0 standards seek to improve the vetting process in several areas, including reducing time to onboard new hires, establishing continuous vetting for managing risk, shifting to a three-tiered model for investigations, and improving the vetting experience. Each of these

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efforts is discussed in more detail below.

Reducing Time to Onboard New Hires

Under the new TW 2.0 investigative standards, initial vetting for new hires provides agencies with the opportunity to bring individuals on board more quickly. The standards employ a risk-managed approach that leverages modern technological capabilities to provide agencies with relevant information in near real time.

This approach provides a specified set of automated record checks that are accomplished expeditiously and allow agencies to make a preliminary determination if an individual may enter on duty in advance of full completion of the required investigative tier.

For national security-sensitive positions, agencies may make a preliminary determination upon completion of these checks to approve the individual for temporary eligibility for access to classified information or to occupy a sensitive position.

While similar to policies for temporary clearance decisions under the prior model, the TW 2.0 approach provides a significant advantage to agencies to assist in managing risk—specifically, starting enrollment in continuous vetting checks following the temporary clearance determination rather than waiting until after the completion of the background investigation. This gives agencies an additional tool for managing risk and affords them the opportunity to more quickly address any concerning information that surfaces.

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Continuous Vetting for Managing Risk

The new TW 2.0 investigative standards also establish continuous vetting to assess risk in near real-time by providing insight into whether an individual's conduct may present a risk to the national security or to the efficiency of the service. Early detection of potential concerns provides the opportunity to offer individuals support, if warranted, before a potential problem escalates. Continuous vetting supports workforce mobility by keeping an individual's investigation status current and reducing any investigative work needed for upgrades, transferring trust, or reestablishing trust.

Three-tiered Model for Investigations Improves the Mobility of the Workforce

The TW 2.0 investigative standards also streamline the background investigation framework, shifting away from the former five-tiered model and instead establishing a three-tiered structure.

- The Low Tier provides the investigative requirements for positions that are designated as low risk with no national security sensitivity. This is the minimum tier for investigating any individual with long-term access to federal facilities or information systems.

- The Moderate Tier provides the investigative requirements for positions that are designated as having the potential to introduce moderate risk to the efficiency or integrity of the service, which includes any non-critical sensitive position and any position that requires eligibility for access to Secret information.

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- The High Tier establishes the investigative requirements for positions that are designated as having the potential to introduce a high risk, including any critical or special sensitive position and any position that requires eligibility for access to Top Secret information or Sensitive Compartmented Information.

This three-tiered model provides three primary workforce mobility benefits over the former five-tiered model.

First, under the TW 2.0 three-tiered model, the basic investigative requirements within each of the tiers are the same regardless of the type of trust determination, and this provides the basis for improved investigative reciprocity, or transfer of trust. For example, the investigative requirements for a moderate tier investigation are the same for all moderate risk positions. This is an improvement over the former model where two different tiers existed for moderate risk positions, depending on whether those positions were sensitive or non-sensitive.

The practical repercussions of the prior model were that individuals serving in non-sensitive moderate risk positions would need a new investigation to move into a sensitive moderate risk position (from a Tier 2 to a Tier 3) position.

Under the TW 2.0 model, there is only one moderate risk tier with one set of investigative requirements; thus, a new investigation would not be required. The streamlined model will result in greater mobility without introducing increased risk when an individual moves from agency to

agency or position to position within an agency.

Second, the TW 2.0 investigative three-tiered model does not require individuals to "start from scratch" by undergoing new investigations when moving upward in position risk level, as was required under the prior model.

Rather than starting a new initial investigation, the investigating agency will obtain the necessary investigative elements to close the gap between the lower and higher tiers. For instance, in the event an individual is moving from the Moderate Tier to a High Tier, the investigating agency will only obtain information pertaining to the High Tier that was not otherwise collected in the Moderate Tier. This TW 2.0 "upgrade" scenario will satisfy investigative requirements more quickly, again with the intended outcome of greater mobility.

Third, the three-tiered model results in a more streamlined process for individuals seeking to reestablish their trusted status when returning to a vetted position after a break in service. We have also expanded the length of time that may occur without requiring a new investigation following a break in service.

Under the new model, the "reestablishment of trust" scenario reduces the investigative work required when an individual returns to work for, or on behalf of, the federal government, depending on the length of absence and enrollment in continuous vetting.

Improving the Vetting Experience

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In addition to the many benefits of the TW 2.0's transformative approach to personnel vetting investigations, I also want to highlight the important work OPM and our PAC partners are doing to improve the vetting experience for individuals undergoing these processes.

As I mentioned previously, Director Haines and I issued Personnel Vetting Engagement Guidelines that require all parties involved in administering personnel vetting to proactively communicate expectations and guidance to individuals as they progress through the personnel vetting process. This provides applicants a greater understanding of the process they are undergoing and the rationale for various requirements. For example, we are proposing to use more plain language and provide more explanations in the investigative questionnaires used for personnel vetting.

This approach also aligns with and supports the federal government's broader efforts to recruit and retain a diverse and talented workforce as we work with our partners on assessing the impact of current vetting requirements on barriers to underrepresented groups.

Next Steps

Our work to date has established the major components of the policy framework for TW 2.0, including standards for investigations and adjudications. Our next steps are to complete our issuance of that framework and ensure full implementation of these policies as quickly as feasible.

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We will complete the policy framework with two key issuances over the next two quarters. We will complete our work to align the National Training Standards for background investigators and adjudicators to the Trusted Workforce polices. And we will establish Vetting Management Standards for the various other processes carried out by agency practitioners in support of personnel vetting.

The ongoing implementation of our Trusted Workforce efforts will continue to be a priority as we focus on delivering results quickly. Together with our PAC partners and Senior Implementation Officials across agencies, we will ensure that the federal government executes on the PAC Implementation Strategy that we issued in April of last year to assist agencies in preparing for and executing the new model for personnel vetting. This includes transitioning from periodic reinvestigations to continuous vetting for the non-sensitive public trust population. It also includes establishing targets and defined timeframes for the suite of metrics in the Performance Management Standards. And we will provide transparency by continuing to report our progress in achieving key milestones on performance.gov.

Key to the implementation strategy is the work being done by our DOD partners to establish and deploy the National Background Investigations Services (NBIS), which will replace the legacy systems used for personnel vetting processes. The goal of separating DOD's users and network traffic from the OPM network by the end of 2023 has been agreed on by both DCSA and OPM leadership. Together, OPM and DOD have developed a future state architecture for an environment that will support the legacy background investigation systems until they can be decommissioned. The migration of personnel vetting management from the difficult-to-change

legacy systems to the more advanced and agile NBIS will provide technological capabilities

necessary to fully realize the TW 2.0 model.

Together with ODNI, DOD, and OMB, OPM has made tremendous progress. Improvements

made under TW 2.0 will enable us to reduce the time required to onboard new hires, improve

workforce mobility, and enhance risk management by identifying concerning behavior sooner. It

will also improve the experience for individuals undergoing the vetting process. We will

continue to work closely with our PAC partners and this Committee as we fully realize the

promise of TW 2.0.

In conclusion, I want to again thank Chairman Warner, Vice Chairman Rubio, and all the

Members of the Senate Select Committee on Intelligence for holding this important hearing.

I am proud of what the Administration and the Suitability, Security, and Credentialing

Performance Accountability Council has accomplished over the past year, and I am excited about

the opportunities to accomplish even more over the next year.

I also look forward to working with my colleagues on this panel and Members of this Committee

on the critical topics I discussed today. I hope today's discussion showcases OPM's dedication

to these efforts.

I look forward to answering any questions you may have.

HON. RONALD MOULTRIE, UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY, U.S. DEPARTMENT OF DEFENSE

Secretary MOULTRIE. Chairman Warner, Vice Chairman Rubio, and distinguished Members of the Committee. It's a privilege to testify on behalf of the Department of Defense's intelligence and security professionals who work every day to address the threats facing our Nation. I wish to thank the Members of this Committee for your continued support and your partnership.

As the Undersecretary of Defense for Intelligence and Security, I'm committed to using our tools, talents, and technologies to protect our strategic advantage, including our most important asset, our people. I'm also mindful that this is an important opportunity to raise public awareness about the vetting process for millions of Americans and the foreign nationals employed by the Department, including those holding government security clearances.

As the largest department in the Federal government, the Department of Defense hosts the largest number of cleared personnel. Of the approximately 4.2 million Americans with security clearances, more than 3.6 million of them work as DOD civilian or contractor personnel. We deem it an imperative to embark on transformational initiatives to improve and enhance the security, sustainability, and vetting process for all.

I also want to thank my colleagues from OPM, OMB, and ODNI and our PAC partners for the great collaboration on this effort. The Department's efforts to implement and support the Trusted Workforce 2.0, phased approach occurs on a much larger scale than anywhere else in the government. And we're making significant progress.

Since October, all DOD personnel have been enrolled in Trusted Workforce 1.5. During the next two calendar years, DOD will continue driving towards Trusted Workforce 2.0, through a number of processes, including engagements with leaders in various sectors and through our Defense Trusted Workforce Implementation Group.

Through the Defense Counterintelligence and Security Agency, and in close partnership with OPM, we are going to continue to deploy an enterprise-wide system, known as the National Background Investigation Services system, or NBIS. NBIS, our secure end-to-end IT infrastructure, will enable us to conduct comprehensive personnel vetting on a single platform, from subject initiation to background investigation through adjudication and continuous vetting.

We look forward to continuing our drive towards full importation of Trusted Workforce 2.0, while implementing the policies and practices with the same care, attention, and expertise we use in our intelligence and security work.

I want to thank every Member, again for your support and I look forward to your questions.

[The prepared statement of the witness follows:]

Honorable Ronald Moultrie
Under Secretary of Defense for Intelligence & Security
Statement for the Record
Senate Select Committee on Intelligence Hearing
March 29, 2023

Chairman Warner, Vice Chairman Rubio, and distinguished members of the Committee, it is a privilege to testify on behalf of the Department of Defense's intelligence and security professionals who work every day to address the threats facing our Nation.

As the Under Secretary of Defense for Intelligence and Security, I am committed to protecting and supporting our personnel while optimizing our systems, technologies, and processes. To deliver on this commitment, I oversee the Defense Counterintelligence and Security Agency, DCSA, which is the primary implementer of personal vetting reforms in the Federal Government. Established in 2019, DCSA has been successful in making personnel vetting better, faster, and more cost effective. DCSA has eliminated the backlog of background investigations, improved timeliness, and implemented continuous vetting.

Raising public awareness about the vetting process for the millions of Americans, including those holding government security clearances, and foreign nationals employed by the Department, furthers this commitment.

DoD Role in the Trusted Workforce 2.0 Initiative

As the largest department in the federal government, the Department of Defense hosts the largest number of cleared personnel. Of the approximately 4.5 million Americans in national security positions, more than 3.6 million of them work as DoD military, civilian, and contractor personnel. As a result, our efforts to implement and support the Trusted Workforce 2.0 (TW 2.0) phased, iterative approach, occurs on a much larger scale than anywhere else in the federal government.

The Department is making great progress in implementing TW 2.0. As of October 2022, all DoD personnel have been enrolled into an intermediate phase, TW 1.5.

During the next two calendar years, DoD will continue driving TW 2.0 implementation through the Defense Trusted Workforce Implementation Group, which falls under my purview as the Principal Staff Assistant for Security. The Department is responsible for:

- Enrolling the DoD national and non-national security populations into the Continuous Vetting program;

- Implementing new investigative tiers and vetting scenarios;

- Managing and facilitating agency specific information sharing in alignment with TW 2.0; and

- Deploying an enterprise-wide information technology (IT) system, the National Background Investigation Services (NBIS).

Continuous Vetting, New Standards, and Enhanced Reciprocity/Mobility

Security, suitability, and credentialing adjudicative guidelines are the foundation of the entire personnel vetting process. Many of the supporting approaches, such as conducting background investigations, have been modernized to a great extent, but were developed decades ago. Our review of the Department's security, suitability, and the entire vetting process, drove us to explore transformational reform that factored in changes in mission complexity, societal norms, technological capabilities, and the threat landscape.

One of the major features of TW 2.0 is the Continuous Vetting program, which offers a better approach to protecting people, property, information, and mission by quickly identifying and managing potential risks. Continuous vetting under TW 2.0 ensures that we are using our time wisely and investing our resources judiciously.

In May 2022, the Director of National Intelligence, as the Security Executive Agent, and the Director of the Office of Personnel Management, as the Suitability and Credentialing Executive Agent (Executive Agents), issued new federal Personnel Vetting Investigative Standards. This was an incredible lift and a team effort. Additionally, they will lead the effort to review adjudicative guidelines, in partnership with the Office of the Under Secretary of Defense for Intelligence and Security (OUSD(I&S)) and the rest of the security community.

The new investigative standards use a risk-based approach to investigations. This maximizes uniformity across all vetting domains and focuses on the efficient gathering of information needed to make informed trust determinations. Using this risk-based approach allows the Department to meet mission needs while considering unique, agency specific requirements.

By replacing the five-tier investigative framework with three tiers, we will simplify the investigative requirements for personnel vetting – including suitability, credentialing, and fitness – resulting in faster decisions and enhanced workforce mobility.

Currently, DCSA's continuous vetting apparatus actively detects adjudicatively relevant information in near-real-time rather than waiting for calendar-based periodic reinvestigations. The TW 2.0 continuous evaluation model delivers an equally comprehensive and efficient vetting process, reserving the most in-depth investigations for initial vetting or when a specific issue arises.

Early detection, through the use of advanced technology and new self-reporting policies, enables us to intervene in and mitigate situations before a potential problem escalates to the level of affecting an individual's eligibility to hold a clearance or poses a risk to our national security mission.

Overall, the new investigative standards, combined with automation and advanced technology for information management, enables DoD to modernize our approach to vetting, increase the speed of onboarding, and identify potential behaviors of concern faster. Through this approach, we are sustaining robust evaluation of our cleared workforce more effectively, conscientiously, and efficiently.

NBIS Progress Enabling TW 2.0

The National Background Investigation Services is the secure, end-to-end IT infrastructure that enables our security mission to conduct comprehensive personnel vetting – from subject initiation, background investigations, adjudication, and continuous vetting. The Department is delivering one of the most complex, comprehensive, and sensitive data repositories our federal government has ever seen – and we take this responsibility exceptionally seriously.

NBIS has world-class cybersecurity features and utilizes proven software development methods to facilitate operational success. NBIS will replace multiple, disparate legacy IT systems and provide better data integration, more expedient sharing of information, and increased flexibility to adapt to the needs of an evolving security enterprise.

DoD, through the oversight of OUSD(I&S), delegated the responsibility of NBIS design and development to DCSA. DCSA has established a detailed implementation schedule for NBIS and will begin to deliver initial NBIS capabilities by the end of calendar year 2023.

I want to especially thank the Office of Personnel Management and our Performance Accountability Council partners across the government for their collaboration on this effort.

Overall, NBIS is intended to speed up delivery, improve functionality, and support business process engineering – all synchronized with evolving policy – while simultaneously increasing our timeliness and avoiding investigative backlogs.

CONCLUSION

DoD remains committed to providing secure, efficient, and effective vetting systems. We will ensure any organization – be they government agencies or members of our Nation's industrial base – have confidence in their trusted workforce. Our goal is to not only have the world's best-in-class workforce, but also to verify that each and every member of that workforce is worthy of the special trust granted to them on behalf of our Nation.

I want to thank every member of the committee for their continued support and I look forward to answering their questions.

Chairman WARNER. Thank you all very much. And I've got a bunch of questions. I want to make sure I don't go beyond time. So, I'm going to ask for crisp, short answers. Ms. Ahuja, I think you may have even been—. I commend you on your timelines—25 days on secret. I thought you said 40 days on top secret. Is that right?

Director AHUJA. Thirty to 45 days.

Chairman WARNER. Thirty to 45. All right. Because I thought Mr. Miller had said that we might get it at—more at 75 days, but I'll take your numbers better.

Director AHUJA. I do want to clarify. That's for initial determinations. So, we have a new metric, actually a much more outward-facing metric, that allows us to actually put an individual in the seat through an initial determination, while the full adjudication takes place——

Chairman WARNER. While the full, but the adjudication——

Director AHUJA [continuing]. Is still the original—the number that you have, the 75 days.

Chairman WARNER. But all of that is a huge improvement.

And Dr. Dixon, I know we've got, you know, higher levels, greater secrets. You know, what we had been pressing in some of our earlier legislation is 180 days. Are you going to be able to try to get the intel community down to where the balance of the cleared community and the balance of the government is?

Deputy Director DIXON. Our goal is to try to come as close to that as possible, given that we have additional steps required to get to the secret—the extra level of security clearance, as well as the polygraphs and the medical, in some cases.

Chairman WARNER. But can you get butts in the seat before you finish, the way the balance of the government is?

Deputy Director DIXON. At the moment, that is not something we are able to do. We are looking at whether that would be worthwhile, both for the employee coming in, as well as for agencies.

Chairman WARNER. And while I have huge respect for Director Burns, CIA is still the laggard. So, I would like to get by each of the IC agencies, how their plan is to get as close to the balance of the government. Secretary Moultrie, on NBIS, you know, we've had some slowdowns. Things are picking up now.

Big, big task. But how do we make sure that we don't bolt on cybersecurity? We build those security components in, so we don't have the kind of OPM, embarrassing leak we had before? Talk a little bit about cyber on that.

Secretary MOULTRIE. Yes, I think one of the real virtues of NBIS is that we're actually building a system that moves at the speed of risk, something that we have not done in the past. One of the things that we're building this architecture on is zero trust. And I believe that you understand this very well, Sir. But in terms of looking at this, we're going to look at all aspects of it. And what we're building is something that looks at the data that we have coming in. It looks at the people who are going to manage that data, the credentialing of those people, ensuring that we have multifactor authentication, looking at behaviors while we monitor the network.

And then lastly, ensuring that we have an alerting system that alerts us real time, or near real time, to what I would call anomalous behavior on the network. That's all being built in. It's got input from cybersecurity experts, some of the best in the government, some who are in the DOD, some who are in the private sector, and more importantly, sir, with the CIOs who really know this business.

So, we've made that a framework and a foundation of what we are——

Chairman WARNER. We're going to want to get as fully briefed in the weeds as possible on making sure the security piece is taken care of.

Back to you, Dr. Dixon, on this one. I'm going to do two, again so that I can make sure I don't go over time. One is reciprocity, reciprocity, reciprocity. And we know the IC is the toughest. But the notion that you get cleared in one component, even inside the IC, and you can't use that clearance. There may be certain roles. How are we going to do on that?

And then, this maybe applies not just to the IC, but across the whole enterprise. When we think about our private sector partners, the idea that you may get a job and you've got 40 slots and it may be a midsize firm and those 40 slots do not extend. So, you often times have the CEO or the CTO or the CFO, not even being able to get clearance to be aware of what projects they're working on. That's inappropriate oversight. It frankly doesn't make any sense. So, if you can take the reciprocity—and maybe Jason, you can also address this—issue of how we make sure that management in the private sector side is going to get slots, as well, beyond the actual need for the specific job.

Deputy Director DIXON. Sure, Senator.

So yes, reciprocity has been a challenge. I think with this, in particular, I know that contractors have raised, that the industry partners have raised that as a significant concern. As it is right now, 90 percent of contractors can go within IC agencies when there are the same processes.

So, for example, if you've got a kind of polygraph in one, you've got a polygraph another of the same kind, you can go within five days. Ninety percent of our contractors go in that five-day timeline. The challenge is the other 10 percent that is not.

Chairman WARNER. The challenge also that you've got to polygraph here, but you don't have it and need it here, and having some uniformity—. My time is about out. Talk to me about how you're going to deal with the management that doesn't fall into the jobs perceived.

Deputy Director MILLER. So, on this issue—and you've raised this issue with me before. This is an issue that absolutely we need to address and we're working on it. We have a working group, and I'd be happy to follow up with you on the specifics of how we're going to try and drive this forward.

Vice Chairman RUBIO. The backbone of this whole thing is the—I'll use the right terminology—the National Background Investigation Services. That's basically what's going to hold all this information. It's the database. So, I just want to have a better understanding, without obviously endangering its security.

Why is this more secure than the OPM database that was breached back in 2014? Are there features here that were not available? Is it because the OPM one was broader and this one was more categorized? How confident are we, especially since cybersecurity? Perhaps others may want to comment on it, but this is the Holy Grail, to some extent. Everyone's going to know it. We know the existence of it is public. How is it more secure than the OPM? Because a breach of this sounds like it would be catastrophic.

Secretary MOULTRIE. So, thanks for the question. I can't speak to the OPM system that was developed over decades and the cyber security features that it may or may not have had. I suspect that during the time that it was built, we would not have had the capabilities and the advancements that we have today. So, I can speak to what we are——

Vice Chairman RUBIO. Neither did the hackers. I mean, they've developed, as well. And that's why this is a moving target.

Secretary MOULTRIE. Exactly. And that's why what we're doing is building it on the latest frameworks that we have, that are cyber-security proven, that—the zero trust frameworks that we know are proven. We are getting the counsel of those who actually understand breaches and who have lived through breaches, and understand how hackers may want to get into systems and what they go after and how they actually do this. And building every component to actually withstand an insider threat, an external threat, or just a lapse in security.

So, I think all that's being factored into a system that will be state of the art. I would say nothing is breach proof, but it will bring us, I believe, to an exponentially better place than where we were with the——

Vice Chairman RUBIO. Do you know which agencies are not using NBIS right now?

Secretary MOULTRIE. I can get a list of those for you.

Vice Chairman RUBIO. Okay. Have we tested its usability with industry or with the government—the security directors of government agencies?

Secretary MOULTRIE. So, what we are doing is agile software development. We are testing components as we go along. We are building that and testing, as we go along.

Vice Chairman RUBIO. Mr. Miller, are we testing the broader Trusted Workforce 2.0 with users in the industry? Is that part of the benchmarking?

Deputy Director MILLER. Yes, it is, and just to step back on the breadth of this. It's more than 13,000 industry partners that will touch these systems. There's a staged deployment as well as an engagement model to ensure that we're getting feedback.

Vice Chairman RUBIO. I understand that. Let's say you open it up to 100 of them, right? And have them try to use it and then they give you feedback as to: We encountered this problem; we encountered that problem. And you're making adjustments based on that feedback?

Deputy Director MILLER. That is part of the agile deployment, or the agile development model, that Mr. Moultrie was discussing. We're also phasing different developments. I would defer to Mr.

Moultrie to talk that through. But in terms of building additional capabilities and running it as we go.

Vice Chairman RUBIO. Okay. Thank you.

Chairman WARNER. Senator Wyden.

Senator WYDEN. Thank you, Mr. Chairman. And thank you all.

This Committee, ever since the days of one of our leaders, Pat Moynihan—I see Senator Gillibrand here, and I am sure she goes into the Moynihan train station often—Senator Moynihan always stood for the proposition that a big part of the job in intelligence is striking the balance between transparency and protecting sources and methods.

And we continue to this day to do that. And I want to ask about declassification reform, because Senator Moran and I have made a major proposal to promote declassification reform. And I see a lot of my colleagues here, Senator Warner, we've all been talking about this for years. Senator Cornyn has been very constructive.

Let me start this way. There are clearly too many jobs in the Federal government that require a security clearance. And one of the reasons is that there are too many secrets of matters that do not need to be secret. And there are at least two solutions. The first is reforming the rules that determine what information is declassified and when it gets declassified. Now at our Threats Hearing earlier this month, I asked Director Haines about a matter that I'm especially concerned about and that's the National Security Council's rewrite of the Executive Order that governs classification and declassification, and the prospect, based on everything I've heard, that this has stalled.

So, I'd like to just go down the line of our witnesses, because I want to get your sense of what is going on, because I think that leaves us in the position of what to do next. Can any of our witnesses assure me that that is not the case? That we are not dealing with a situation where the National Security Council is stalling things?

Let's start with you, Mr. Miller. Just go right down. I think I can get all five of you in my five minutes. Sir.

Deputy Director MILLER. Senator, Sir. Great. Thanks, Senator. Appreciate the importance of this issue. This specific issue is outside my remit. I would defer to my colleagues, but I can absolutely take that back, as well.

Senator WYDEN. Okay.

Deputy Director DIXON. I know for a fact, that there are aspects of the classification reform are ongoing. As to which parts that are being referred to as being stalled, I am not sure.

Senator WYDEN. Ongoing is different than the question I'm asking. I'm concerned that things are stalling out there, that I've been talking to people who feel very strongly about the subject, and they're very loyal Americans. They want to get this done and they want to do it the Moynihan way. Let's protect transparency, and let's protect sources and methods.

And they're concerned we're stalling out. So, if you could be a little bit clearer.

Deputy Director DIXON. There are definitely aspects that are not stalled. There's many, many aspects of the conversation we need to have, with respect to reforming classification writ large. There are

processes in place moving along certain aspects. The entire thing itself, that's going to take some time.

So, I don't know whether it's—there is——

Senator WYDEN. How much time? How much time?

Deputy Director DIXON. Sir, it's actually—it's not my process. So, I can't really comment on how much time it would—is taking. But there's a commitment from all the parts of the interagency that want to get this done, that want to get this moving. We will, again, much like Jason, I'll take it back, too, and make sure they understand the importance of it and the interest that you have in making sure that there's a timeline that we meet.

Senator WYDEN. Ma'am.

Director ARJUHA. Yes, Senator. I would defer to my colleague, Deputy Director Dixon. It's not particularly in our purview, within OPM.

Senator WYDEN. This hearing is on classification issues. And if everybody shows up and says, "not my purview," it gives me a pretty clear sense of what the remedy ought to be. But why don't we have you, Sir? And then I'll just wrap it up with my colleagues very quickly. Please, Secretary Moultrie.

Secretary MOULTRIE. Sure. We are not responsible for the process. But I can tell you, within the DOD, we're committed to classification reform. There are things that we have talked about. There are policies that I've written and signed in the fall of last year, that get at classification reform and classification review. In closed hearing, I'd love to come back and talk to you about some of these things that we've done, and how they are going to get information, not only to warn individuals within our country, but also to some of our key allies and partners.

Senator WYDEN. Okay. Colleagues, let's just kind of tote this up, in terms of what we have just heard. We've had four very dedicated public servants, and I respect all of you. One of the four, a bear one, said things were moving a bit in some areas. And three out of four basically said, not my beat, not my purview. You all are entitled to share your views and I respect all of them.

But I think what this tells us, colleagues—and Senator Warner and I have talked about it—is that this is more reason for the Congress and this Committee to step in and do this job and do it in a bipartisan way. In other words, we've had four very good public servants with expertise in this area, give me answers, as I have to run off and deal with the Senate Finance Committee, with a sense that this is not moving with the speed and the urgency it requires.

And I've been very appreciative, because I've been pounding away in these precincts for a long time, to have Senator Warner, Senator Moran, and Senator Cornyn in particular, all making it clear that we've got to get something done. So, Mr. Chairman, I thank you.

Chairman WARNER. Let me just—and I think, frankly all of us, not just the four you called out, share this. And you know, I think we're going to have to deal with it, both legislatively—. But I also think in the interim, you know, we've got to have people back, in both open and closed—. On this very topic. Respectfully, I found the answers equally as frustrating, if not more than you.

So, we will have another bite at this apple, I promise you. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Director Ahuja, in 2016, after the OPM data breach, the timelines for processing clearances soared to over two years for a top-secret clearance, and the backlog swelled to 725,000. Think of the thousands of individuals who just gave up the prospect of working for the Federal government during that time, because they needed jobs. And there are a lot of alternatives.

I'm concerned that we now have another major data breach and that is the Affordable Care Act breach in DC, which affects a lot of Hill employees who get their insurance through the—get their ACA insurance through that DC system.

First, is there an impact that you've seen from this latest data breach, which has exposed names, addresses, Social Security numbers, all sorts of information?

And second, what can we do to make sure that we harden the systems that contain this information, because obviously, the data in the system is subject to identity theft, is going to make doing clearances much more difficult, as we saw in 2016.

Director AHUJA. Thank you, Senator, for that question. You know, I can't speak specifically to the more recent data breach, but I can tell you, we've learned quite a bit at OPM, from the data breach from 2015, and the work that we've done to ensure that we have a secure system. My colleague here, Ron Moultrie, spoke to the work that's happening within NBIS to shore that up under zero trust architecture. I can tell you, with a lot of the IT modernization happening, moving to a Cloud-based system, especially within our organization—a very aggressive timeline that we have for its modernization within OPM. And we're not alone. This is happening across the Federal government, and the work that's being led by the Office of the National Cyber Director, focused on Federal government as well as across industry.

So that's the work we're doing within OPM. But certainly, we've taken lessons. And Vice Chairman Rubio mentioned the difference: at the time of the breach in 2015, we were sitting on legacy systems at the time. And we very much are working hard, through the support of Congress, to move off those legacy systems in order to take advantage of the latest technological capabilities and to move to the Cloud, which inherently has more cybersecurity protections within it.

Senator COLLINS. Thank you.

Dr. Dixon, I want to get a better understanding of how the Intelligence Community does clearances versus the rest of government. It's my understanding that the Defense Counterintelligence and Security Agency is in charge of basic security clearances for approximately 95 percent of those in the U.S. government.

However, that leaves five percent, approximately, in the Intelligence Community who utilize a different investigative service provider or providers. Why are there different security clearance programs and databases for DOD versus the IC?

Deputy Director DIXON. Thank you, Senator Collins. The processes are different. And while we do similar things, with respect to figuring out if the person is fit to have the job, trustworthy to have

the job, and then whether or not they are able to have a security clearance, we do that all in one process, as opposed to making the person go through multiple processes.

So yes, we do have our own databases, but we follow the same types of rules and regulations. And if you look at the standards and the guidelines that have been put out as part of Trusted Workforce 2.0, it's similar processes. Just rather than using their service provider, we're doing it ourselves. We're following the same system, following the same types of questions. They are following the same types of information gathering.

So, if you just think of it as having multiple, different ways to get the same information, that's the way that we're approaching it.

Senator COLLINS. Do you honor the security clearances of DOD, if an employee goes from working at, let's say NGO to the CIA?

Deputy Director DIXON. What this process will let us to do, is to know where their process stopped and what we need to do to continue to bring it up to the level of a person that actually has to have the clearance level that we have within our community. So, we will respect it. But it doesn't transfer completely, because there are other steps that have not been taken, with respect to that vetting.

Senator COLLINS. I guess, then, I realize my time's expired. But I guess I'm trying to understand whether a TSI clearance is the same across the Federal government, or does it mean something different, depending on which agency you work for?

Deputy Director DIXON. So, within the Intelligence Community, in addition to having, for example, the TS, will actually have a Sensitive Compartmented Information clearance level. It is a different level of clearance than the TS that is not—in the non-sensitive population. There are additional questions. There are additional processes that we will use that they will not, which is why it's not a one-to-one transfer.

Chairman WARNER. Senator Collins has hit the nail on the head. You know, my view is, belief is, we have a complete mishmash. And the lack of reciprocity, or even the kind of not knowing for sure if you're at DHS and you want to go to DOE, and then you want to go to NRO—. We've got a lot of work to do in this space. And there are differences, but sometimes, particularly when you get into the contractor world, it gets even—you don't even know.

I appreciate that. Especially when you get compartmentalized areas on the IC side, there needs to be higher—. But that lack of clarity, you know, you got why I'm crazy about this. But it's just— we can do this. We can protect the enterprise, and we can be much more efficient. I really appreciate you raising it.

Senator COLLINS. Thank you.

Chairman WARNER. Senator King.

Senator KING. I want to talk about a different aspect of that, and that is what happens after you're hired—the so-called continuous vetting? Mr. Miller, can you tell me how that works? Because prior to that concept, there were periodic, timed revaluations, just to check in on the employee. Now that's no longer the case.

So, give me the mechanics of continuous vetting. What does that mean?

Deputy Director MILLER. Absolutely. Yes, so the prior process, involving periodic re-investigations, could be a five-year or a ten-year window before a periodic check on an individual. The continuous vetting model includes, but it's not only included—includes automated checks on a near-real-time basis, which provides any potentially problematic information to an agency.

Senator KING. What does an automated check mean? What does it check?

Deputy Director MILLER. For example, criminal databases. So, if an employee does not self-report, an agency might not know about that information. But a check on a criminal database would allow an agency to see that. It also requires the agencies to change their internal processes, which were previously built on a periodic re-investigation model, for how they're going to intake that information and then make determinations based upon that information.

I would defer to Mr. Moultrie on the specifics for DOD, but both DOD and other agencies have noted the dramatic change that that has made for them, in terms of their ability, on a near-real-time basis to get information and make sure that we're maintaining trust in a much more effective model, is a dramatic and important shift.

Senator KING. Well, I want to be convinced of this, because I'm not sure that an automated records check is an adequate substitute for somebody actually doing a periodic investigation. So, convince me.

Secretary MOULTRIE. In terms of thinking about the digitized system that we're developing, that digitized system takes the data on an individual. It is plugged in, Senator, to national databases, some that reside with the Federal Bureau of Investigation, some reside with national law enforcement systems. And we establish thresholds that if something happens to one of our personnel that meets the threshold—it may be an arrest, it may be that they had some conviction or some issue. There's a threshold that automatically alerts us to say, there's something you need to look at regarding one of your people. And that can happen near-real-time. And that allows us to really accelerate the timeline by which we know things. Instead of waiting for somebody to report that, which may be five years as you're saying, or maybe seven years in some instances. We have now accelerated that timeline to where, for top-secret issues and alerts that we may not have gotten for a while, we now get those, we think, some one-and-a-half years earlier than what we would have got if we would have waited for somebody to fill out a form and say: Oh, by the way I had this happen to me.

Senator KING. I understand that if you're talking about something obvious, like a conviction. But there may be more, so the question is, would this system have picked up Aldrich Ames?

Secretary MOULTRIE. CIA—Aldrich Ames? I don't know. Without knowing the specifics of that. But what it might tell us, Sir, is if somebody is putting an inordinate amount of money in a bank account.

Senator KING. It would pick that up?

Secretary MOULTRIE. It would be able to tell us, if it has the alerts on, it would be able to tell us that they have exceeded the

threshold. And I believe one of the things with the case you are talk——

Senator KING. You say, if it has the alerts. Is that one of the—?

Secretary MOULTRIE. I do not know, but I can take that question back, Sir.

Senator KING. Ms. Dixon.

Deputy Director DIXON. Yes, it is. So, a suspicious financial alert is one of the alerts. If someone is depositing large sums of money, particularly from foreign accounts into a bank account? Yes, that will alert.

Senator KING. Are you comfortable, as an intelligence professional, with this automated system, as opposed to regular revisits to the classification?

Deputy Director DIXON. I am. I believe, between the variety of things—the financial, the criminal, the credit—all those things together will provide a lot of information that frankly, again, we weren't getting, except every five years. And so, we have an opportunity to shorten that timeline.

In terms of the insider threat that you mentioned, in Ames in particular, we've got other processes that are also in place within our counterintelligence organizations that will also assist in noticing when some——

Senator KING. Because if you've got a spy who's a professional, they're going to know about bank accounts and convictions.

Deputy Director DIXON. They will. But strangely enough, with that, historically he actually was displaying a lot of——

Senator KING. The bank account might have picked him up.

Deputy Director DIXON. The bank or his colleagues who noticed that he was all of a sudden spending a lot of money on clothes and cars, should have reflected something, and I think would now.

Senator KING. Quick question. Do you all red team this system? Do you ever try to send somebody through it that has an obvious, not an obvious, but a problem and to see whether the system is actually picking up potential security threats?

Secretary MOULTRIE. The system is constantly red-teamed, Senator. Yes, it is.

Senator KING. Good. I think that's all I have.

I want to thank you for what you're doing and the progress that you have made. I think the point of this hearing is, we're way ahead of where we were three or four years ago. And thank you all for the work that's made that happen.

Thank you, Mr. Chairman.

Chairman WARNER. And I believe, and you can correct me if I'm wrong, whether Mr. Ames or some of the others, the five-year periodic review didn't pick up any of these guys.

Senator Cornyn.

Senator CORNYN. Well, thank you all for the good work you've done modernizing the background check system and making the issuance of security clearances a whole lot more efficient.

I have a pretty basic question, though. Mr. Moultrie mentioned that there are approximately 4.2 million security clearances that have been issued by the U.S. government.

I think we have a more fundamental question, and Senator Wyden raised it. I'm not sure you're the panel to answer this, but I'd be interested in your views if you have them. It seems to me that before we figure out how many security clearances should be issued, we need to figure out what the range of classification of information should be, because the less information that's classified, the fewer security clearances the government is going to have to issue.

And I would footnote that by saying, obviously, we all understand the importance of the classification system when it comes to national security. But unfortunately, we also know that there is just a human tendency to classify information in order to prevent accountability. And there's really a clash between those values, our democracy with the public's right to know, the need to receive information upon which to judge the performance of public officials. There's a real tension there. And we need to make sure that that line is drawn in the right place.

Can I ask, maybe I'll start with Dr. Dixon and then Mr. Moultrie, how do you determine the number of clearances that your agencies—or for that matter, any intelligence agencies—require?

Deputy Director DIXON. I will say there are a couple of ways. So, Congress provides the authorizations for the number of government personnel that we have. In addition, we look at the number of contractors that we need to support the work. And so that will determine the number of clearances. But the initial number is authorized by Congress, in terms of the government.

To your point, a look at the actual classification levels and whether or not we are over classifying is the conversation we were having earlier that needs to be in work, and that I think we're all committed to, on whatever timeline makes sense, given the enormity of the situation.

I would just say that every year we are trained that classification is not used to hide information. It may be out of laziness that people are classifying things, over-classifying. But I would just say very clearly: we are trained every year that we are not supposed to use it to hide information from oversight or from others outside of the government.

And so, I would just—I wanted to push back on that one point, Sir, respectfully.

Senator CORNYN. Well, no, I accept that. I understand. I'm not saying people are doing something nefarious or something improper. I'm just saying that there's a natural human tendency to want to hide your mistakes, or things that you don't want to explain. And it's the same reason I've worked closely with Senator Pat Leahy, when he was here, on the Freedom of Information Act reform, to make sure that the public had access to the information that they needed in order to make those decisions.

But what I'm talking about is not something nefarious. It's basically a human tendency, or just the ease with which it's easy to stamp something classified. Or now, we know that the explosion of digital records is making it virtually impossible to keep up with this.

But Mr. Moultrie, can you talk about the Department of Defense and how do you determine the number of clearances that you need?

Secretary MOULTRIE. Once again, it's what we're authorized, in terms of the numbers that we're actually authorized. Two, I would say it's an assessment of the position itself and whether or not that position requires some degree of trustworthiness, and that determines whether or not that person gets into access and the clearance.

And then also the risk assessment with that particular position determines what level of clearance and what access we need to provide there. I would say, to the issue of over-classification, there are cultural issues that have been around for decades where there was probably a default to overclassify or highly classified things some 40, 50 years ago.

And that's changing now. There are processes, and I would say there are policies that we have to rewrite, and there are systems that we have to do—some systems actually default to a classification. It will actually default to saying something's classified, even when it just may be an unclassified statement, if you will.

We're getting at all that. We're looking within the Department of Defense. We are getting at all that. And I know that, at the Deputy Secretary's level, she has within the last month asked individuals to take a look at how we ensure that we are not defaulting to the wrong processes. How we're actually training people to actually write to release and to share things with, not just people within the community, but also with the American public.

Senator CORNYN. Well, thank you. Thank you for that. We're going to look forward to working with you to try to understand that process a little bit better. I'm not sure whether Congress has the basic information we need to know how many security clearances we should authorize. I'm not sure that's a conversation we've had. Maybe we have and I just haven't been a party to it. But we look forward to working with you to address this—this issue.

Thank you.

Chairman WARNER. And, Senator Cornyn, I think you hit the nail, that this notion of default or the old-fashioned term, CYA, not based upon malfeasance, but just—and I'm anxious to see the systems changes to move away from that default. And somebody who's actually been working on this issue for years is Senator Moran. Senator Moran, you are up.

Senator MORAN. Mr. Chairman, I thank you for your suggestion that I have credibility on this issue, but I don't. And at the moment, I'd just like to continue listening to the dialog. I apologize, however, for missing the moment in which you did compliment me earlier in the hearing.

Chairman WARNER. Let the record show that was—so Senator Lankford must have some brilliant questions coming up.

Senator LANKFORD. No, he's just yielded his time to me. So, I've got ten minutes now.

Thanks for your time. I do have a bunch of quick questions I want to be able to get to. I want to be able to ask about the personal vetting questionnaire. How is that different than the SF–86? I know there's been lots of conversation about we're narrowing it down, we're changing it. What's the real difference here?

Director AHUJA. Thank you for that question, Senator.

This has really been a big part of how we're thinking about the reforms and the Trusted Workforce 2.0.

So, the personal vetting questionnaire, you know, we have to revise it periodically. This is one of the instances where it expires, so to speak. And so, in this instance within these reform measures, we wanted to streamline, we initially had four different questionnaires, depending on your risk level and how you were classified. And now we've combined it into one questionnaire, so into different subparts. And the benefit here is that, depending on your risk level, you fill out just the portion that you need to. And then when you come back, and let's say you move into a higher risk level, you just have to fill the gap, really, and go on to the next part of it. We've simplified the questions.

We've removed double-barreled questions. We've heard from applicants that, oftentimes it's difficult to understand what you're asking of them, and we want them to be truthful. We wanted to ensure that there was clarity there. We put in longer segments of what we called preambles, to understand this is why we're asking the question.

This has been an effort that we started in the last Administration, you know, underway—that was when the Trusted Workforce 2.0 was launched. And we're kind of coming to fruition. And now we're in the second public comment period that's about to end. We do look forward to that feedback to ensure this is really one big part of this effort—the guidelines that we've set together with my colleague at ODNI—is the experience that an applicant goes through to ensure that not only is it a fluid experience, but that we can actually onboard them in a more efficient manner.

Senator LANKFORD. So, let me ask a reciprocity question with this. Ms. Dixon, you were talking before about some of the time period they have to do additional work on it. If they've just gone through the process, they got a secret clearance, it is 25 days—Congratulations on that. That's a big change. They've done that.

Now they want to be able to switch over. Now they've got additional items they've got to be able to do. Are they starting all over? Or is it a faster process now because they've already been through the first year?

Deputy Director DIXON. They should be able to build on the process that's already happened.

Senator LANKFORD. Should be or do?

Deputy Director DIXON. Will.

Senator LANKFORD. Okay, deal. So, your estimate, at that point, was you were hoping to be around 75 days or less in the process?

Deputy Director DIXON. To get to just the top secret with—not within the national security population.

Senator LANKFORD. Correct. Okay. And so, if they've gone through these 25 days or 45 days for the clearance, they switch over to you, it should be another 20 days? Or it should—I get another—because I'm not going to hold you to this. I'm trying to get a feel of what this looks like.

Deputy Director DIXON. No, and I appreciate the question. We've actually been looking at the entire timeline, so I don't actually have a goal for the exact apples-to-apples comparison. At this point in

time, I think if you look at what we are on average, it's about 120 days. We're trying to get that lower for that particular part.

Senator LANKFORD. Okay. That'd be very helpful. There's been a lot of conversation about the social media aspect as well. Is it reliable, is it not reliable? Should we look at it? Should we not look at it? Let me just say, from my perspective, you should look at it. I mean, to say it's not reliable, would be to say there's nothing we could really gain there.

Clearly, there's information that we can gain—trends, information—at least questions to be able to follow up with people and say, hey, we saw this association, or we saw this connection, or we saw this post at this point. That's not an unreasonable thing. So, if there's some dispute to wonder whether we're going to say to you, you shouldn't look at that.

No, I think you should. That's a pretty reasonable thing. The question is, how you use it. What is the plan at this point for how you're using social media? And are you?

Deputy Director DIXON. As you pointed out, we are allowed to use it. We have the authority to use it. Right now, we're in exploratory phase trying to figure out what the utility is, what can we get out of it, based on the amount of information that is coming through. There have been several pilots that have been going on, and those will influence—and those will help us understand how we're actually going to be using it in the future.

Senator LANKFORD. Okay. Other comments from anybody on that? Mr. Moultrie, you're nodding your head on that, as well.

Secretary MOULTRIE. No, Director Dixon covered that the way I would have covered it.

Senator LANKFORD. Okay. Let me ask one final question there. It's about the polygraph, because there's been—some agencies use it, some do not. There's been some conversation about ocular scanning instead, or a different resource or in addition to.

Are there other conversations about how to use polygraph, where to use it? Other tools that may be out there that may be a better tool? What is the trend at this point? To try to figure out what to be able to do with that?

Deputy Director DIXON. I will have to take that for the record. I am not actually aware that they're thinking about new technologies to be using for it. But right now, we plan to continue using it within the Intelligence Community itself.

Senator LANKFORD. Okay. Mr. Moultrie.

Secretary MOULTRIE. Our National Center for Credibility Assessment uses a polygraph. It is the tool, the gold standard that we have right now. We have had a discussion within the Department of Defense as to whether or not new technologies might be augmentative to polygraphs. Is there something out there that would allow us to monitor some of the same things that a polygraph monitors?

But those are in the very early stages of discussion. But we believe that looking at technology and being able to enhance any process is a way that we ought to go.

Senator LANKFORD. Okay. Thank you.

Senator ROUNDS. Thank you, Mr. Chairman.

In closed sessions, the Chairman suggests that I can take advantage of being the newbie on the Committee for as long as I would like. Let me begin just with a primer, if we could. If you're talking about the Department of Defense, who sets the guidelines for what the security clearance necessary for a secret or a top secret or a TS/SCI? Who's responsible for setting those on-the-job descriptions?

Secretary MOULTRIE. We work within the Department of Defense, based on the criteria and the guidelines that we have. In my office——

Senator ROUNDS. Who sets those guidelines?

Secretary MOULTRIE. With policy and the Undersecretary of Defense for Intelligence Security, me. We actually look at national guidelines and we work off the national guidelines that are set for access to information. And we will set those policies to ensure that the Department of Defense is adhering to those policies.

Senator ROUNDS. Thank you. It's a national policy?

Secretary MOULTRIE. It is.

Senator ROUNDS. Okay. How about if we're looking at DNI?

Deputy Director DIXON. We set the policy for the community.

Senator ROUNDS. You set the policy for the entire community. So, the definitions of what is necessary for a secret or a top secret or a TS/SCI, the conditions or the policies are consistent across all departments?

Deputy Director DIXON. That's a good question. The answer should be yes.

Senator ROUNDS. I'm wondering if it is, though, because that would be a little bit inconsistent with what I heard earlier, about differences in the way it's set in some areas. Explain to me if I'm missing something here.

Deputy Director DIXON. I think what I was referring to earlier, is where TS, top secret itself stops and where SCI starts. There will be a difference in those two things.

Senator ROUNDS. So, it's not a consistency across the board, then?

Deputy Director DIXON. A TS is a TS. But a TS/SCI and a TS are different.

Senator ROUNDS. Based upon the agency or upon national policy?

Deputy Director DIXON. I am sorry. The IC will use the TS with the Sensitive Compartmented Information.

Senator ROUNDS. So, what you'll do with it, with the IC, is if you're going to do the TS/SCI, it will all be with compartmented information as part of the thing—. So, you go deeper into it at a more advanced level, automatically?

Deputy Director DIXON. Correct.

Senator ROUNDS. Okay. That's helpful. Thank you.

Sir, you're looking at me like are you agreeing with that or are you—?

Secretary MOULTRIE. No, I am agreeing. I just think there may be another part to answer on this.

Senator ROUNDS. Please.

Secretary MOULTRIE. If someone has a top-secret clearance, the reciprocity process may be somewhat different. But once the top-secret clearance has been granted, whether it's TS or TS/SCI, indi-

viduals get access to the same information. There's no such thing as this agency has this type of top secret.

This one has a different type of top secret. It's top secret. They share that information across agencies. They can work on things, virtually and sometimes in groups together. They receive the same information. What I was worried about is some conflation of reciprocity, going into a different agency or looking at the same information that is shared, once you reach a certain level.

So that's the only clarification.

Senator ROUNDS. Well, I'm happy you do that, because that was my next question. When we talk about reciprocity, or perhaps I think by that you're talking about moving. If an individual is moving from one job location to another, and they have a TS versus a TS/SCI, that's where the challenge comes in?

Director AHUJA. Could I offer something, Senator?

Senator ROUNDS. Sure.

Director AHUJA. You know, part of the Trusted Workforce 2.0 has been—that my colleagues at ODNI and OPM have worked on—are these investigative standards that we issued about streamlining the investigative requirements across all trust determinations. So, suitability, which OPM manages, and the security clearance, which ODNI manages.

I just wanted to offer that up, that a part of this effort has really been to streamline the requirement, so you can have greater reciprocity and mobility. Before we had these distinctions, and now we have the—from the five-tier to the three-tier system, which is going to streamline that process completely throughout.

I just wanted to add that.

Senator ROUNDS. Okay. And thank you. I'm also just curious about one item leading up to this was mentioned that, while the principles are in place, with regard to leadership teams, there are two important positions that are being performed on an acting basis right now. And I'm going to ask the reason why.

The position of Director of the National Counterintelligence and Security Center, the NSCS, and the ODNI's primary agent on clearance reform—which is interesting since that's what we're talking about today—has been vacant since January of 2021. An FBI agent is acting in that position. The senior position supporting the USD (I&S) is also vacant and performed on an acting basis by a detailee from DIA. I got a lot of acronyms involved in this thing, but what I'm getting at here is, apparently within the leadership teams themselves, you've got two vacant positions.

Please don't tell me that it's because they're waiting for a clearance.

Deputy Director DIXON. No, sir. We've definitely been trying to find the right political appointee, or nominee, to put into that position so that we can have it filled. The person holding has been doing a wonderful job. But yes, we recognize that we need to get that filled. And we've been working with the White House.

Senator ROUNDS. And if the Chairman would indulge me for one last question, how long will it take to actually get a clearance for someone, once you have picked the right political appointee?

Deputy Director DIXON. That process is probably a little faster than the average process. We are going from 180 days, from appli-

cation to the person being offered a job, for the regular person. It will be a faster process for—.

Senator ROUNDS. Okay. Thank you. Thank you, Mr. Chairman.

Chairman WARNER. But let me—you are also getting at this issue. This may not be the case, but the last time we did one of these——

Senator ROUNDS. 2018.

Chairman WARNER [continuing]. Within DHS, I can't recall whether secret or TS, somebody had the clearance to move from one contracted DHS to another. Took 100 days. Even though the classification level is the same. I think everybody is working with good will here. But this reciprocity thing—Sue Gordon promised that before she left—and I love Sue to death—but it's a hard, gnarly one.

Senator ROUNDS. It is, Mr. Chairman. And look, even whether we're talking about health care under artificial intelligence or what we could do there, or if we're talking about Spectrum, which Senator King has been so actively involved in—the over-classification or the challenge of getting the appropriate people, even within our own staff, to get the right type of a category to get good information to do their job, has been challenging.

Chairman WARNER. Senator King has had a question. I got a quick lightning round. I want to hit three quick things. You know, and this first one is for Ms. Dixon, Mr. Moultrie.

Number of polygraphs, the people that can provide the polygraph, and the number of even trainers for the polygraph examiners—we were way short. How are we on that, at this point?

Deputy Director DIXON. I'm going to have to take the actual number for the record. What I do know is that Ron's organization has done a wonderful job of expanding the number of people who can go through the courses. They are doing their part to make sure that we have the certified people coming out, making sure that those seats——

Chairman WARNER. I want the numbers, both in terms of how many—there was a single training class in South Carolina. We had COVID. What are our numbers there? How are we doing in terms of total number of trained examiners? This is for Mr. Moultrie and Mr. Miller—tough question. But I think one we've got to sort through.

We go through our process. We find something that—major red flag, you know, same person goes out and then is applying for a job in the private sector, that may end up ultimately resulting in a requirement for a security clearance. Well, obviously, we have the privacy protections of that individual.

The idea that we can't give some ability to let the private contractor know that person X didn't vet. I hope we are trying to sort through, recognizing there are privacy issues.

Deputy Director MILLER. Yes. We recognize this issue and yes, we are trying to sort through it.

Chairman WARNER. You with us on that, Mr. Moultrie?

Secretary MOULTRIE. That makes 100 percent sense.

Chairman WARNER. Last one before I go to Senator King. Again, Senator King was there that last time we did this.

I have huge respect for former FBI agents who spend their career going into universities and checking somebody's academic records or going to a local courthouse and checking somebody's criminal records.

One of the things that came out of COVID was we did a lot more online and virtual interviews. I think this one is for both Stacey and Ron. You know, are we continuing that? And are there still things we asked specifically, but we're further on in this process? If there are specific incentives we need to put in place with our friends in the higher ed world or our friends in the criminal justice world—that they should be able to share that information in a timely way so that we don't waste the time and money, candidly, of sending agents to go out and look and see if somebody's academic record was valid is really important. If you can address those two and then we'll go to any final questions from our colleagues.

Deputy Director DIXON. We are looking to automate as much as possible—and yes, we learned a lot during the pandemic about doing things virtually—I think there's some aspect of things that we're still doing virtually, in terms of having conversations. The nice thing about the automated systems is that you will then only have to do the follow-ups for those times when they're alert.

You're automatically decreasing those numbers of engagements that you have to have that would be person-to-person.

Chairman WARNER. Ron.

Secretary MOULTRIE. In terms of being able to add another aspect to what we are doing with continuous vetting, and plugging that into the NBIS system, that would be a logical add. And I know, as it pertains to academics and records and what we have, being able to import that data will be very important.

Chairman WARNER. And please, we may not be able to mandate that a local criminal justice system has to share or—higher ed, but there are ways we could do incentives. Please give us that guidance.

Senator King.

Senator KING. I must say, I'm still a little confused about reciprocity. Let me be specific. You've got a Defense Intelligence Agency officer who is retiring, wants to go to work for the CIA. This individual has a top-secret clearance. Is there any further security clearance process that has to take place before he or she can go to work for the CIA?

Deputy Director DIXON. There are definitely different processes that will need to take place to include, in some cases, some agencies will have a different psychological process, a medical process, in addition to a different, enhanced polygraph process.

Senator KING. Okay. So, in that case, there is no reciprocity.

Deputy Director DIXON. There is for like things. But in this situation, and when you're trying to determine whether the person——

Senator KING. Well, "like thing." I'm talking about a DIA officer who wants to go to the CIA. And it's either reciprocity or it isn't. If there's more forms, investigations, polygraphs, that isn't reciprocity.

Deputy Director DIXON. I'll broaden it just a little bit. There are different workforce requirements. For example, in CIA, you gave that example, they have a lot more of time the officers being over-

seas. Being able to make sure that the person is medically able to do some of those jobs will be part of their process. That doesn't fall under a security clearance. It's more a fitness for duty.

Senator KING. Well, that's different. That's not what I'm talking about.

But I think what you're telling me is we don't have reciprocity. How about if somebody that works for the NSA who retires and wants to go to work for the CIA as an analyst? Does the NSA top-secret clearance work? No more forms, no more polygraphs, no more checks when they go to the CIA?

Deputy Director DIXON. There will be internal checks to make sure that the receiving agency doesn't have information that they need to bring up to speed, or to bring up to date, to make sure that it's current. The current process we have, as we're transitioning into continuous vetting, there's still some backlog. With more people in there, they should be less timelined——

Senator KING. I'm confused.

Deputy Director DIXON. Okay.

Senator KING. If I have reciprocity as a lawyer in Maine, I don't have to do anything when I go to Massachusetts and go into court, except to say I have a law degree in Maine or a law license. You either have reciprocity or you don't. And I think what you're telling me is, you don't.

Deputy Director DIXON. I would say it's broader than the simple term of reciprocity. I suppose that it is more complicated than one thing being exactly transferable to another.

Senator KING. I do not mean to be argumentative.

Deputy Director DIXON. No, no, no.

Senator KING. We're being reassured about reciprocity, but it isn't happening. Reciprocity means you can do it here; you can do it over here if you quit. Don't use the term reciprocity if it's not reciprocity. Okay?

Deputy Director DIXON. I would love to. That would be great. I will actually——

Senator KING. There is a different word.

Deputy Director DIXON. Transfer of trust is the word that we're trying to use. And you can transfer the trust if it's the same thing. But if there's a difference in the type of work that's going to be done, it will be a a different process.

Senator KING. But then the question is, why not—why not? If they have a top-secret clearance at the Department of Defense, why isn't that good enough for the CIA? And you're talking about the same kind of documents.

Mr. Moultrie testified that if you have the two clearances, you can all work together on the same documents. Right? You were saying that before. But you can't go over and get a job.

Secretary MOULTRIE. Having worked at NSA and then transferred to CIA, resigned from NSA, and joined the CIA.

Senator KING. You're my case in point.

Secretary MOULTRIE. Exactly. I can tell you how it worked for me, at least.

There's clearance reciprocity, where it says everybody has the same top-secret clearance. There are access issues. And different agencies will have an access issue. You have the same clearance,

so CIA recognizes, as you said, that you may have a top-secret clearance. They may have an additional bar, if you will, or additional criteria, to give you access to their systems. And so, they go through another check or another layer, because of the things that have happened in their history, and that gives you access. Even though you already have a top-secret clearance, there's an access component to this, Senator, that is factored in.

Senator KING. And how long does it take to go through that second process? One of the things this Committee is trying to get at is the length of time that's involved. And to our less-expert eyes than yours, it seems to us that one way to streamline this is to say top secret means top secret. If you have it here, you have it over here.

So how long does it take to do the additional?

Secretary MOULTRIE. I can't speak specifically to the CIA and how long it takes. But I can say within non-CIA organizations, for the most part—and I have to exclude NSA, because they have other access issues and polygraph issues that they require—in addition to having your clearance, you can have a top-secret clearance and not have a polygraph.

NSA and CIA require polygraph, which is an additional layer on top. So that will add time to the process, too.

Senator KING. Mr. Chairman, it sounds like we've got some work to do on reciprocity.

Chairman WARNER. We do. And you know, yes, it is. And unfortunately, I think Ron is being generous. This is oftentimes months. And I'd even give CIA, because of its unique responsibility, and even NSA, you know, a little slack on this.

When we're talking about overhead, the one example I like to use is NGA to NRO or vice versa. You know, you're still dealing, pretty much, with the same pixels and how you analyze that. And there's still problems there. This is a gnarly issue and it has been around for a long time. I do think we have the focus, and people are working through to take this from five to three, to kind of get the culture right on that.

And the—the chart I got here. Ms. Ahuja, you know, this would be wild—25, 40, and 75 days is the three categories. You get there, you'll never get any grief from me, because it's so much shorter. Now, Stacy, chances are we are never getting it. Some of you all see an end of that. But—but again, we're still at—I think the average number was north of 400 days. Now there are certain pieces on experiment. Director Burns has got down, but we're losing great personnel, because they just can't wait.

Mike, do you want to do another round? Angus?

Obviously, maybe I'm a little obsessed about this, but I think it's going to take a little bit of relentless obsession, because it's easier to stick with the status quo. It's easier not to make people uncomfortable. It's like the classification issue, which again, a lot of us on this Committee are going to push on, because I think we all know it's people, people, people, people. And if we don't, we can't attract and keep people and we can't even make it somewhat easy to move in and out of government, particularly in our defense and intelligence. We need that—that exchange back and forth.

We appreciate how far you've come. Again, I want to be clear on this issue. With the last Administration, I had a lot of differences, but the last Administration made progress on this as well. I do feel like the Trusted Workforce 2.0 could have been potentially signed. I think it sat on the President's desk for a long time in the last Administration.

But you know we will be your support. We'll help give you some cover. But we are going to stay on this. And I thank all of your commitment. I also know there's lots and lots of people who are not just here in this room, but back at your respective entities, please thank them. You have our attention. You have our focus.

Any last words for anybody on the panel?

Deputy Director MILLER. I just want to add one thing on the chart that you showed, because I think it does speak to the transformative impact of what we can accomplish over time. It requires rewiring how these processes work. Those numbers are for the vast majority of people that go through the system. The 75 days that people talked about—the 400-plus days that it took people to get a top-secret clearance before—75 days is even more ambitious than the comparison to that, because we're measuring everything.

The current system only measures the 90 percent fastest. We have a huge tail that we're not even measuring. We're trying to measure everything so we can manage it and make sure that we're really driving transformative impact.

Chairman WARNER. Jason, you buried the lead. You should have said that when we were all here. I mean, that's right, you share that. But that is a kind of a fundamental commitment to transparency that you're not just going to take the 90 percent universe. You're going to do 100 percent universe. Good news. And I hope, again, staff will share with their Members that that's the right goal to have.

Anything else?

We're adjourned. Thank you.

(Whereupon at 4:08 p.m. the hearing was adjourned.)

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