

Webinar Questions and Answers

Adverse Information Reporting

When making decisions about what to submit as adverse information, think about what is meant by the term adverse information. According to Industrial Security Letter (ISL) 2011-04, adverse information consists of “any information that negatively reflects on the integrity or character of a cleared employee, that suggests that his or her ability to safeguard classified information may be impaired, or that his or her access to classified information clearly may not be in the interest of national security.”

Below are answers to the general adverse information questions submitted during the Adverse Information webinar. For guidance on specific adverse information questions relating to your company and its cleared employees, please contact your DSS IS Rep.

Question: I have an employee that is going to be processed for a clearance and has issues such as alcohol that I am aware of. Should I submit an AI report even though the employee doesn't have a clearance yet?

Answer: Yes, the NISPOM defines “cleared employee” as all contractor employees granted PCLs and all employees being processed for PCLs. Since your employee is going to be processed, you would be required to submit the adverse information if you are unable to determine that the employee included this information in their SF 86.

Question: When to report adverse information that results in a court proceeding?

Answer: Several questions were posted regarding when to report adverse information that results in a court proceeding (DUI/DWI, bankruptcy, etc.). A report should be submitted as soon as you become aware of the incident. Do not wait to report until the employee receives a summons to appear in court, after the initial court date, or the case is settled.

Question: If a facility is reluctant to report in JPAS, but prefers to send it in by mail, is that acceptable?

Answer: ISL 2011-04 states: Adverse information reports submitted pursuant to NISPOM 1-302a should be recorded as an incident report in the Joint Personnel Adjudication System (JPAS). DISCO still accepts these reports through fax and mail, but keep in mind that using these methods may contribute to longer processing times for these reports and other DISCO actions.

Question: Do adverse information reports apply to NACIs?

Answer: NACIs do not fall under the NISPOM, however, you should contact your customer as it may be a factor in determining suitability for CAC or IT access.

Question: To whom does the installation security office report adverse information for contractors located on government or military installations?

Answer: In addition to any local reporting responsibilities, adverse information reports should be submitted to DISCO.

Question: How can you report adverse information if the employee is no longer in your JPAS account?

Answer: You can follow this step-by-step process to report adverse information on employees no longer in your JPAS account (this will in- and out- process the employee in the same action):

1. Click on "Select Person"
2. Enter the SSN or DoD EDI PN
3. Click on "Display"
4. Scroll to the third section on the "Person Summary" screen and click on "In/Out Process"
5. Click on the calendar widget for "In Date" and "Out Date" and enter in today's date
6. Click on "Servicing Relationship" and then save
7. Click on cancel to return to the "Person Summary" screen
8. Click on "Report Incident" and enter incident criteria

Question: Why does the employee's name turn red in JPAS?

Answer: Several questions were asked about the employee's name turning red in JPAS once the report is submitted. The individual's name will turn red in JPAS once an adverse information report is submitted (method of submission doesn't matter) and will remain red until the information contained in the report is adjudicated. Remember, so long as an individual has eligibility in JPAS, a company should make no inference from the "red". Any person with eligibility can be granted access to classified information.

Question: What is the NISPOM reference for culpable employee reports?

Answer: NISPOM 1-304. A culpability report is to be submitted when the responsible individual committed a violation that involved a deliberate disregard of security requirements, a violation that involved gross negligence in the handling of classified information, or the violation was not deliberate in nature but involves a pattern of negligence or carelessness.