



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

Suitability Executive
Agent Programs

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: LISA M. LOSS
Director, Suitability and Credentialing Executive Agent Programs

SUBJECT: Frequently Asked Questions (FAQs) for *Credentialing Standards Procedures for Issuing Personnel Identity Verification Cards under HSPD-12 and New Requirements for Suspension or Revocation of Eligibility for PIV Credentials*

On December 15, 2020, the OPM Acting Director, in his capacity as the Credentialing Executive Agent, issued *Credentialing Standards Procedures for Issuing Personnel Identity Verification Cards under HSPD-12 and New Requirement for Suspension or Revocation of Eligibility for Personal Identity Verification Credentials* (Credentialing Procedures). The document provides government-wide credentialing standards procedures to be implemented by all Executive Branch Departments and Agencies (D/As) in issuing, suspending, or revoking eligibility for PIV¹ credentials.

The Credentialing Procedures policy includes:

- Clarification of population applicability and short-term employment, to include the definition of seasonal employees.
- Detailed standards and procedures for suspending PIV eligibility not covered in previous guidance, to include appeals.
- Emphasizes that the grounds for finding an individual ineligible for a PIV card may also constitute grounds to pursue an adverse action (such as removal action) to promote the efficiency of the service, or to terminate an appointee who has not yet accrued adverse action rights.

The Credentialing Procedures memorandum emphasizes that the governmentwide credentialing standards, *Final Credentialing Standards for Issuing Personal Identity Verification Cards under HSPD-12* issued by OPM in July 2008 (2008 Final Credentialing Standards) and the Performance Accountability Council (PAC) Memorandum to Heads of Executive Departments and Agencies, *Guidance on Executive Branch-Wide Requirements for Issuing Personal Identity Verification (PIV) Credentials and Suspension Mechanism*², of March 2, 2016 remain as the

¹ Although referred as PIV in this document the policy and this implementation guidance apply to eligibility adjudication of any PIV card issued to meet HSPD-12 standards such as CAC, LincPass, etc.

² This PAC memorandum clarifies that Departments and Agencies will apply both the basic and supplemental credentialing standards specified in the 2008 Final Credentialing Standards to all personnel who require a PIV, but who are not otherwise subject to a suitability determination or a determination of eligibility for access to classified information or assignment to a sensitive national security position to include Federal employees and contractors.

adjudicative standards for eligibility determinations for Personal Identity Verification (PIV) cards issued in compliance with the Homeland Security Presidential Directive 12, *Policy for a Common Identification Standard for Federal Employees and Contractors*. All Executive Branch D/As must follow these adjudicative standards for making decisions regarding **eligibility** of individuals for PIV card for logical or physical access to federally controlled facilities and/or information systems.

As directed in the Credentialing Procedures memorandum, heads of Executive Branch D/As must ensure the appropriate entities within their organization, including personnel from the offices of Chief of Security, Human Resources, Employee Relations, Credentialing, General Counsel, Insider Threat, and component organizations that manage physical access and ICAM systems collaborate in communicating and implementing these Credentialing Procedures.

D/As must immediately implement these procedures. D/As are expected to make any necessary updates to their information systems within 180 days of the December 15, 2020 Credentialing Procedures memorandum.

Attached are answers to some anticipated Frequently Asked Questions to assist you in successfully implementing the Credentialing Procedures guidance. In particular, we call your attention FAQ No. 13, which reminds agencies of their obligation to report HSPD-12 fields into CVS.

My point of contact for any questions is Dorianna Rice, Credentialing Program Manager, who may be reached at Dorianna.Rice@opm.gov or CredEA@opm.gov.

Attachments:
Frequently Asked Questions

Frequently Asked Questions
for *Credentialing Standards Procedures for Issuing Personnel Identity Verification Cards under HSPD-12 and New Requirements for Suspension or Revocation of Eligibility for PIV Credentials*

1. How does the guidance in the Credentialing Procedures memorandum differ from other OPM PIV eligibility guidance?

The *Credentialing Standards Procedures for Issuing Personal Identity Verification Cards under HSPD-12 and New Requirement for Suspension or Revocation of Eligibility for Personal Identity Verification Credentials* issues guidance not previously in effect regarding PIV eligibility suspension and provides clarity to other previously issued guidance specifically as follows:

- Provides detailed standards and procedures for suspending PIV eligibility.
- Redefines applicability per E.O. 13467, as amended.
- Emphasizes that the grounds for finding a person ineligible for a PIV card may also constitute grounds to pursue an adverse action (such as removal action) to promote the efficiency of the service, or to terminate an appointee who has not yet accrued adverse action rights.
- Without changing the basic intent, provides greater detail and clarity regarding:
 - the circumstances in which an agency will use the procedures, and how credentialing vetting will align with other personnel vetting programs
 - the interim and final credentialing process
 - the credentialing process for Non-United States Nationals
 - credentialing reciprocity
 - unfavorable PIV determinations
 - appeals

2. How are the existing credentialing guidelines affected by the Credentialing Procedures memorandum?

This Credentialing Procedures document expands on a number of processes mentioned in the prior OPM credentialing memorandum, such as the appeals process and applicability, and introduces procedures for PIV eligibility suspension. It also clarifies that the OPM Final *Credentialing Standards for Issuing Personal Identity Verification Cards under HSPD-12* memorandum issued July 31, 2008 (the 2008 Final Credentialing Standards), and the 2016 Performance Accountability Council Memorandum *Guidance on Executive Branch-Wide Requirements for Issuing Personal Identity Verification (PIV) Credentials and Suspension Mechanism* continue to be utilized as the adjudicative standards for PIV eligibility determination. The 2016 PAC memorandum clarified that Departments and Agencies will apply both the basic and supplemental credentialing standards specified in the 2008 Final Credentialing Standards to all personnel who require a PIV, but who are not otherwise subject to a suitability determination or a determination of eligibility for access to classified information or assignment to a sensitive national security position. Agencies already following requirements outlined in the 2008 Final Credentialing Standards and 2016 PAC memorandum and reporting eligibility to CVS should experience minimal impact to their current processes.

3. Who does this Credentialing Procedures memorandum apply to?

The memorandum guidance applies to vetting of all covered individuals including a person who performs, or who seeks to perform, work for or on behalf of the executive branch (e.g. Federal employee, military member, or contractor), or otherwise interacts with the executive branch (e.g. non-appropriated fund employees, as well as agency unique categories of individuals such as guest researchers, volunteers, intermittent or seasonal employees unless they are short-term) such that the individual must undergo vetting, (but does not include the President, Vice President and duly elected State or territory governors) AND who requires logical and physical access (other than occasional or intermittent access to federally controlled facilities or information systems for said purposes.) (E.O. 13467 Sec 1.3(h) and (m)).

4. How are “occasional or intermittent” and “short term” employments defined in the Credentialing Procedures memorandum?

For the purpose of the credentialing guidance, short term employment is employment of less than six (6) continuous months. Intermittent employees with affiliation that extends beyond 6 continuous months are not considered short term employees. Similarly, seasonal employees, i.e. employees on permanent appointments who work a seasonal schedule of six months or more on a recurring basis are not considered short term. Per 5 CFR 340.401(a), Seasonal Employment means annually recurring periods of work of less than 12 months each year. Seasonal employees are permanent employees who are placed in nonduty/nonpay status and recalled to duty in accordance with preestablished conditions of employment. Therefore, these Credentialing Procedures apply to seasonal employees.

Short term employees on temporary appointments of less than six months thus should not be included in the definition of “seasonal” (even if hired, for the summer, for example).

5. How has the policy on non-United States Nationals changed? What is the process?

There is no change to the policy intent. The information is simply displayed in charts vice a text document, for clarity. The references to NACI investigations; however, were replaced with Tier 1, as stipulated in the Federal Investigative Standards.

The Credentialing Procedures acknowledges that it may not be possible to conduct an equivalent Tier 1 investigation overseas, therefore an alternative facility access identity card (not a PIV Card) may be issued at the discretion of the overseas agency official, as appropriate, based on a risk determination/position designation level. The document explains the following options for D/As to process individuals under this category:

Non-United States Nationals located at U.S. based locations:

- When the individual has been in the US for 3 years or more, agencies will
 - a. Verify employment authorization of new Federal employee
 - b. Request a Tier 1 investigation.
- When the individual has been in the United States for less than 3 years, agencies may not request an investigation, instead, they may:
 - a. Issue an alternative PIV for facility access based on:
 - i. Verification of employment authorization
 - ii. FBI fingerprint based criminal history check

- iii. FBI name check search
- iv. Terrorist Screening database check
- v. SAVE check

Non-United States Nationals located at foreign locations:

- If investigation that is equivalent to a Tier 1 investigation cannot be performed an alternative facility access identity card may be issued at the discretion of the Department of State Chief of Mission Authority, Department of Defense Installation Commander, and/or other agency official, as appropriate, based on a risk determination.

6. Do I use this Credentialing Procedures memorandum to determine PIV-I eligibility?

As noted in the Credentialing Procedures memorandum, an alternative identity credential such as the Personal Identity Verification Interoperability or PIV-I is an identity credential that does not meet the standards outlined in these procedures and is visually and electronically distinguishable from PIV credentials. The Credentialing Procedures memorandum is purposely silent on adjudicative guidelines for PIV-Interoperable (PIV-I) cards eligibility decisions. D/As are responsible for making their own risk determinations in the decision to accept and issue a PIV-I. As PIV-I do not assert any level of individual trustworthiness since there is no standardized vetting process, there is no obligation for D/As to reciprocally accept them. Because of these limitations of the PIV-I, D/As should consider the benefits of PIV eligibility determination for intermittent employees whose affiliation is repeatedly terminated and reinstated, and for any employees who are expected to serve intermittently over multiple years. Agencies must ensure that the PIV-I process is not used to circumvent the PIV eligibility and issuance process.

7. Do I use the Credentialing Procedures memorandum to determine Derived PIV eligibility?

As noted in FIPS 201-2, a derived PIV leverages the PIV identity proofing and vetting results of a current and valid PIV card; therefore, there is no separate vetting requirements for Derived PIV. An individual must already be eligible for a PIV credential and have possession of such credential before being eligible for a Derived PIV.

8. How long do Department and Agencies have to implement this policy?

D/As must immediately implement these Credentialing Procedures. D/A are expected to make any necessary updates to their information systems within 180 days of the December 15, 2020 Credentialing Procedures memorandum. D/As already following requirements issued in the 2008 Final Credentialing Standards Memorandum, 2016 PAC Memorandum and reporting eligibility to CVS as required should experience minimal impact to their processes. The majority of requirements for credentialing eligibility remain unchanged since this document provides greater detail to existing guidance.

9. What are the first steps Departments and Agencies need to take?

OPM recommends D/As the following steps in preparing to implement these procedures.

1. Consult with your procurement office to ensure any contracts requiring modification are expeditiously updated.
2. Ensure that all agency adjudicative personnel have the Credentialing Procedures document, the 2008 Final Credentialing Standards and the 2016 PAC Memorandum for use in PIV eligibility determinations and that your adjudicative procedures are consistent with the guidelines and procedures established by these documents.

3. Meet with your personnel security, adjudicative, physical security and human resource professionals to ensure your agency has the proper communications channels established and has the necessary process connections to ensure the eligibility suspension requirements are met, such as means to notify suspension to access point in your facilities and technology to report eligibility decisions to CVS or its successor.
4. Identify the agency's final decision maker for suspension of PIV eligibility determinations and establish procedures to promptly notify the person when applicable.

10. I am an agency Senior Executive (with responsibilities for Human Resources and/or Personnel, Physical, Information or IT security). What do I need to do?

OPM recommends the following implementation steps:

1. Review your agency processes for adjudicating Interim and Final PIV eligibility to ensure existing processes are in compliance with the Credentialing Procedures outlined in the Credentialing Procedures memorandum.
2. Coordinate with your counterparts in human resources, security, counterintelligence, chief information office and insider threat programs to ensure that PIV eligibility suspension procedures are included in threat response planning and to ensure that the necessary communications and processes are in place to satisfy the standards and procedures for suspending PIV's.
3. Ensure that the program managers supporting these processes have the guidance necessary to successfully implement new requirements.
4. Implement changes and adjustments to agency procedures and policies as necessary to satisfy credentialing eligibility requirements.

11. I am an adjudicator. What do I need to know?

OPM recommends adjudicators consider the following information:

1. The Credentialing Procedures memorandum reminds us that PIV eligibility determinations are inherently governmental functions. Interim and Final PIV eligibility determinations will only be made by executive branch federal employees, or automated adjudication systems sanctioned by the Executive Agents.
2. The adjudicative guidelines from the 2008 Final Credentialing Standards and the 2016 PAC memorandum will apply credentialing criteria in the following cases:
 - a. Individuals who require an interim PIV determination to begin work requiring physical access to federally controlled facilities and logical access to federally controlled information systems **prior** to a final suitability or national security determination.
 - b. Individuals who will require physical access to federally controlled facilities and logical access to federally controlled information systems for 6 months or more, AND who will not be vetted concurrently using 5 CFR 731 suitability adjudicative criteria for suitability or fitness determinations or EO 12968 national security criteria for determinations regarding access to classified information or assignment to a sensitive position.
 - c. Individuals unfavorably adjudicated using 5 CFR 731 suitability adjudicative criteria for suitability or fitness determinations and/or EO 12968 national security

criteria for determinations regarding access to classified information or assignment to a sensitive position by the employing or sponsoring agency, must undergo a PIV eligibility determination if the agency is not terminating the employee due to the unfavorable information that makes the individual unsuitable or ineligible to occupy a national security position.

12. How does the guidance anticipate the eligibility suspension process will work?

We recognize that there is a difference between suspension of PIV card eligibility and physically suspending the technical functionalities for the card. Per the Credentialing Procedures memorandum, if imminent risk is identified, D/As must establish means to communicate the eligibility suspension to their physical access points and IT systems owners. The technology is advancing to the point that there are means to hold the card certificates without having to re-issue a new card. OPM recommends your agency consult with your PIV card issuer and your OCIO to identify the best suspension mechanism for your agency based on your provider.

The following describes how the PIV eligibility suspension process should work.

1. The agency becomes aware of credible adverse information that indicates a person may pose an unacceptable risk (to persons, property, and information under Federal control).
2. The agency's decision maker (or designee) for these matters assesses if the risk is imminent (consulting with the OPM guidance).
3. The agency's decision maker takes action to prevent the individual from accessing the facility and information systems.
 - a. If imminent risk exists –
 - i. Immediate action to retrieve the PIV credential from the credential holder (if circumstances allow) and suspend the technical features of the credential.
 - ii. Immediate suspension of the individual's access to facilities and information systems until the issue is resolved.
 - b. If risk is not determined to be imminent-
 - i. Determine if the PIV credential and associated technical features enabling access should be suspended, or if the individual should retain access until the matter is resolved.
 - ii. When possible and advisable, review all information including the credential holder's explanation for making a decision to suspend – erring on the side of caution and safety.
 - c. Always suspend the credential when there is an imminent risk or danger.
4. Report the PIV credential eligibility and associated credential tokens as “revoked or suspended” in any and all access systems or databases in which it appears, including CVS.
5. Alert your physical access entry points of the suspension.

6. Consider the concerning information and notify law enforcement as appropriate; notify agency counterintelligence and/or national security adjudication entities as appropriate.
7. Investigate the concerning information as necessary to develop adjudicative relevant details.
 - a. For Federal employees, who will be unable to perform work while the PIV is suspended, consult with agency Human Resource staff and/or general counsel before taking action to place the individual on a paid non-duty status per the Administrative Leave Act of 2016.
 - b. For contract employees, notify the contracting company of the suspension following appropriate internal agency channels.
8. Adjudicate the information gathered using the 2008 Final Credentialing Standards and the 2016 PAC Memorandum and make a decision to either reinstate the employee and remove the suspension, OR to proceed with the unfavorable determinations process.

13. My agency has not been reporting PIV eligibility decisions to CVS. What do we have to do to be compliant now?

In April 2008, NBIB (now DCSA) issued guidance on how to report PIV eligibility determinations in an HSPD-12 Job Aid (Fields Added for HSPD-12 Reporting). In 2018, NBIB and Suitability Executive Agent Programs issued Joint Federal Investigations Notice and Suitability and Credentialing Executive Agent Notice, *New and Existing Capabilities of the Central Verification System*. The notice announced new reporting fields in anticipation of the Credentialing Procedures guidance and the availability of a CVS Flat File Format Version 03 information document containing all data and IT specifications for reporting HSPD-12 information. At the time of the 2018 joint notice, reporting of the additional fields was not mandatory; agencies were advised they were not required to so in advance of the policy issuance. With the issuance of the December 15 Credentialing Procedures memorandum, D/As should prepare for mandatory reporting of the additional fields by June 2021. Both notices are located in the public library of the NP2 Portal in the “CVS – Central Verification System/CVS Job Aids” folder. Please refer to these documents to determine how your agency can begin reporting PIV eligibility determinations if it has not already done so. If you have any questions about the process, please contact DCSA’s System Liaisons Central Verification System Team at 724-794-5612, extension 4600 or CCSCVS@nbib.gov.

14. Will this guidance be impacted by other Trusted Workforce 2.0 initiatives?

The current undertaking by the Security Executive Agent and the Suitability and Credentialing Executive Agent to transform the personnel security vetting process, known as Trusted Workforce 2.0, anticipates the issuance of aligned adjudicative standards, to the extent practicable. The credentialing adjudicative standards as issued by OPM in 2008 and modified by the 2016 PAC memo will remain in place unless and until superseded. Otherwise, the procedures as directed in this guidance, such as those regarding suspensions and appeals, are not expected to change.