

SUITABILITY DETERMINATIONS

Suitability Determination Requirements for Contract Screeners

The Contractor shall initiate all steps required for suitability determination. Phase I is the pre-appointment determination (pre-hire vetting), and Phase II is the Background Investigation, combined the results render a Suitability Determination. TSA's Personnel Security (PerSec) will complete the pre-appointment determination, for all private contract screeners or anyone working in the screening environment before the Contractor can begin working as a contract screener, begin New Hire Training or work in the secure/unsecure screening environment. All screener assessment requirements, to include medical, shall be completed prior to requesting TSA begin the pre-hire vetting process.

PerSec Pre-Hire Suitability Determination

In order to have PerSec conduct Pre-Appointment Determination, the following steps will occur:

1. The Contractor shall collect TSA Form 2811, *Fair Credit Reporting Act Authorization*, and TSA Form 2812, *Authorization of Release of Information* during the initial application process. These forms and the eAPP signature release forms (contained within eAPP) will be attached to eAPP before releasing to TSA.
2. The Contractor shall complete the following information on a TSA provided spreadsheet in electronic format. The document shall be password-protected prior to submitting to TSA PerSec or the COR. Submissions to PerSec require the document to be protected with the TSA approved password, submissions to the COR, require a separate email with the document password that meets TSA Password specifications. Contractor Applicant Personal Identifiers: 1) Contract Screener Candidate's Social Security Number, 2) Sex, 3) Full Name (Last, First, MI, and Suffix), 4) Date of Birth, 5) Place of Birth (City, County, State, and Country), 6) Country of Citizenship, 7) E-mail Address, 8) Telephone Number, 9) Airport Code (where Contract Candidate will work), Contract Information: 10) Contract Company Name and address, 11) DUNS Number, 12) Contract Number, 13) Contract Screener Start Date, 14) Contract End Date, 15) task order Number, 16) task order Start Date, 17) task order End Date, 18) Full Legal Name of COR Name (First and Last), 19) COR E-Mail Address, 20) COR Telephone Number, 21) Full legal name of CO, 22) CO email address, 23) CO phone number, 24) if Classified Contract, Cage Code, 25) If Classified Contract, Facility Clearance level, 26) If classified Contract Safeguard Level, 27) If Classified Contract CSO name, 28) If Classified Contract, Security Facility Officer Name (First and Last), 29) Security Facility Officer Telephone Number, Level and Type of Vetting: 30) Type of Vetting, 31) if classified Contractor, clearance level required for contract support.
3. The Contractor shall select an individual(s) to serve as the eAPP initiator(s), vetted at the appropriate level; to initiate the contract screener candidate(s) (only) into eAPP for completion of the electronic Standard Form 86 (SF 86) and associated releases. In addition, instructions shall be provided to the contract screener candidate for accessing eAPP, scheduling and obtaining required fingerprints (electronic or ink print), and attaching all required eAPP signature release forms to eAPP, to include the TSA Forms 2811 and 2812 before releasing the eAPP and fingerprints to TSA, along with notifying TSA to begin pre-hire vetting.

4. Upon receipt of one (1) notification to begin the pre-hire vetting process, TSA PerSec will ensure fingerprints have been processed and results have been received. Additionally, PerSec will ensure the eAPP is complete, all releases attached are legible for review by OPM, and there is no missing information or documents.
5. Upon determination that the eAPP, with releases is complete and no additional information is needed, PerSec will conduct a pre-hire adjudication. The results of the checks will be evaluated in conjunction with the information contained in the SF 86, criminal history records check, finger print results, and credit check. If during the evaluation, a suitability issue arises that requires additional information, PerSec will issue a Letter of Interrogatory (LOI) to the private contract screener candidate allowing him/her an opportunity to respond to suitability concern(s) or contact outside sources as needed for additional information. If the private contract screener candidate fails to respond within the time period directed, an EOD suitability determination will be rendered using the information on hand.
6. Upon completion of the pre-hire adjudication, PerSec will render a pre-appointment determination. PerSec will notify the COR as to its determination, "Granted or Denied". The COR will notify the Contractor with the results.
7. If a pre-appointment determination is "Granted", the private contract screener candidate will be permitted to work on the contract. If pre-appointment determination is "Denied" by PerSec, the Contractor will not be able to support the TSA contract.
8. The Contractor shall provide TSA PerSec with the EOD date for each contract screener employee, to begin Phase II. The EOD date is to be provided no earlier than the day of EOD. Upon receipt of the EOD date PerSec will move forward with scheduling the Background Investigation (BI) with OPM for final suitability determination. The Contractor shall notify the COR within twenty-four (24) hours if there is a change to the screener employees' EOD date (such as a new date or change of intent to hire or onboard).
9. The Contractor shall immediately notify TSA for each candidate whose pre-hire appointment determination is to be cancelled, any candidate who has been granted a pre-hire appointment determination and will not onboard, and any contract screener employee who departs voluntarily or involuntarily (Performance or Misconduct, an explanation is required for employees who depart due to misconduct in a password protected document) from the contract

NOTE:

Pre-hire – refers to the timeframe and activities performed prior to the receipt of a Pre-Hire Appointment Determination by PerSec. During this period, the Contractor assesses screener applicant qualifications or employees who will be working in the screening environment and provides documentation to the PerSec to begin the pre hire vetting process. Favorable screener assessment qualifications and a pre-hire vetting determination are needed for work on the contract.

Post Hire – refers to the timeframe and activities performed after successful receipt of the pre-hire appointment Determination. During this time, PerSec schedules a Background Investigation (BI) with OPM; the findings are provided to PerSec to adjudicate the final suitability determination. The COR is only notified if the results are unfavorable. Upon notification of an unfavorable post hire determination, the Contractor shall remove the private contract screener from the contract by close of business on the day of notification, and advise the COR when the action has been completed. If the required action cannot be completed on the day of notification, for example the employee is on vacation; the Contractor shall advise the COR immediately why removal from the

contract cannot be completed, when the action will be taken and provide final notification when the action is completed.

Suitability Determination Requirements for Non-Screeners

- (a) The Contractor's performance under this contract will require access to TSA facilities, equipment, information, and systems. Contractor employees under this contract are subject to a suitability determination to assess whether their employment or continued employment under this contract protects or promotes the efficiency of the services provided. TSA, by and through PerSec will continue the employment only for those individuals who are adjudicated suitable for employment as a TSA Contractor. Individuals who are adjudicated unsuitable for employment as a TSA Contractor will be removed from the contract at the direction of the COR. The suitability adjudication shall be accomplished in accordance with the procedures contained in this attachment.
- (b) The Contractor shall provide the COR with the following information for all non-screeners to be employed under this contract in a government provided spreadsheet (this information will also be used to gather results from criminal, credit, selective services, and citizenship checks for adjudication purposes): Contractor Applicant Personal Identifier: 1) Contract Screener Candidate's Social Security Number, 2) Sex, 3) Full Name (Last, First, MI, and Suffix), 4) Date of Birth, 5) Place of Birth (City, County, State, and Country), 6) Country of Citizenship, 7) E-mail Address, 8) Telephone Number, 9) Airport Code (where Contract Candidate will submit fingerprints), Contract Information: 10) Contract Company Name and address, 11) DUNS Number, 12) Contract Number, 13) Contract Screener Start Date, 14) Contract End Date, 15) task order Number, 16) task order Start Date, 17) task order End Date, 18) Full Legal Name of COR Name (First and Last), 19) COR E-Mail Address, 20) COR Telephone Number, 21) Full legal name of CO, 22) CO email address, 23) CO phone number, 24) if Classified Contract, Cage Code, 25) If Classified Contract, Facility Clearance level, 26) If classified Contract Safeguard Level, 27) If Classified Contract CSO name, 28) If Classified Contract, Security Facility Officer Name (First and Last), 29) Security Facility Officer Telephone Number, Level and Type of Vetting: 30) Type of Vetting, 31) if classified Contractor, clearance level required for contract support.

The spreadsheet shall be provided to the COR in electronic format, in a password-protected document. The Contractor shall provide in a separate email the document password that meets TSA Password specifications

Additionally, the following information shall be provided in the notification. The Contractor's role, to determine the appropriate vetting level, if the Contractor holds or previously held a clearance, level and date of the clearance. PM should hold a current interim or secret clearance if in a classified position.

- (c) Upon receipt of the information, the PerSec will contact each Contractor employee via email with instructions and guidance for the completion of the pre-hire vetting requirements. The instructions may include completion of an electronic, on-line version of the appropriate Security Questionnaire, *with supplemental forms and a set of electronic fingerprints, requirements may vary by individual candidate.* Contractor employees shall complete all

requirements by the stated date in the instructions and provide the COR the completion date for the requirements.

- (d) Upon receipt of all correctly completed requirements, PerSec will make a pre-appointment determination to “Grant or Deny” the employee eligibility to commence contract employment with TSA.
 - (1) The initial pre appointment determination will be made on the basis of a review of the Contractor employee’s consumer credit report, a criminal records history check, and a local agency records check to determine to the extent possible if the Contractor employee has uncollected debt, criminal offenses, falsification of information, or any other issues that would prohibit performance under a TSA contract.
 - (2) An initial favorable adjudication enables the Contractor employee to begin work under the contract. However, a favorable adjudication based on the pre hire appointment is **not** final favorable suitability adjudication.
 - (3) PerSec will provide notification to the COR of the pre appointment determination. The COR will in turn notify the Contractor of the results.
- (e) Following the initial adjudication, PERSEC will coordinate with the Office of Personnel Management (OPM) to schedule a full background investigation of the Contractor employee. EOD date is not required for non-screener.
- (f) Following the completion of the full background investigation the PerSec will make a final suitability adjudication of the Contractor employee for the purpose of determining whether the Contractor employee will be allowed to continue working under the contract.
 - (1) The final suitability determination will be made on the basis of the completed background investigation, all documents submitted to TSA during the process described in this clause, and any other relevant information obtained by the PerSec.
 - (2) PerSec will notify the COR of the final adjudication only if found to be unfavorable (notification by exception). The COR will in turn notify the Contractor of the determination results.

Any Contractor employee determined to be ineligible at any point in the process described in this attachment shall be immediately removed from performance on any part of this contract by the Contractor and shall not have access to any TSA facilities, information, technology, or systems. The Contractor shall notify TSA immediately if the non-screener will not continue with the vetting process, departs, or is removed from the contract.