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Government Accounting Office Review of Personnel Security/Passes : GAO EOP Pass Talking Points

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Talking Points
GAO Audit of EOP Pass Issuance Procedures

October 5, 1995

- GAO identified no current "problems" with the process for issuing White House and Executive Office of the President passes.
- While their report did find that passes were issued slowly in 1993, their report recognizes that the White House has achieved dramatic improvements since then.
- On average, if an employee started in 1993, it took 346 days (or 356 days, depending on the method of analysis used) for his or her pass to be approved. For employees starting in 1994, the average was 98 days (or 129 days). Currently, most passes are issued within 100 days.
- It is important to remember that of these averages, only certain intervals involve work done by the EOP. In fact, the largest length of time associated with the pass issuance process involves waiting for the FBI to complete background investigations (investigations averaged approximately 60 days during the period of study). The EOP has no control over how long it takes the FBI to complete investigations.
- The report only tracks 1994 employees who started before September 16, 1994. If employees who started after this date were included in the analysis, the average would be even smaller.
- By a directive issued by the Chief of Staff in March, 1994, all employees are required to submit the appropriate security paperwork within 30 days of their first day of work. Congress has since made this a legal requirement (PL 103-329). The White House is now in full compliance with this requirement.
- Public Law 103-329 also requires that individuals be placed on Leave Without Pay status if they have not been recommended for issuance of an appropriate access pass within 180 days or if appropriate security paperwork has not been completed in 30 days. The White House is in compliance with Congressionally imposed standards. (NOTE: the report identifies two cases in which individuals exceeded the 180-days; explanations for both situations are attached)
- During this Administration, the United States Secret Service has never been directed to issue a pass of which they did not approve.
- The GAO's report contains no finding that pass issuance was delayed because of "issues" in individuals' backgrounds.
- The GAO's report identifies no problems with the EOP's drug testing program.
- Although the GAO's report identifies some areas in which they feel opportunities exist to "strengthen controls," they acknowledge that they identified no specific "problems" with the current process. Furthermore, the majority of the controls that they recommend strengthening are items that only need to be considered at the beginning of future administrations.

NOTE: We have not yet been given, nor have we had the opportunity to review, a final draft of the report. This information is based on our review of a near-final draft of the report and our own internal analysis.

The report could go to the requestors (Congressmen Wolf, Goss, and Clinger) as early as next week. They have up to 30 days to release the report as they choose. If it has not been released within 30 days of the delivery date, the GAO releases the report for them. We will keep you informed of the probable release date.

The following pages contain further information on topics discussed in the report that you may be asked about.

Additional Information on Overall Pass Issuance Rates:

- The GAO's report shows that, on average, passes were issued significantly more quickly in 1994 than in 1993.
- As their report mentions, several factors led to the improvements:
 - 1) operational and administrative inefficiencies were corrected
 - 2) there were fewer employees starting work in 1994
 - 3) the Chief of Staff placed emphasis on the process and established standards
 - 4) the White House began using computers to track the process and,
 - 5) staff and officials became more experienced with the process.
- In 1994 and 1995, our average time for pass issuance is comparable with the record in other agencies, such as the Department of State.

Additional Information on Compliance with PL 103-329:

- Although the report will identify two individuals who took longer than the 180 days prescribed by law (P.L. 103-329) for their pass to be issued, both cases are easily explained as follows:
 - one employee was nominated to his/her position by the President. While the nomination was pending, he/she did not want to receive any of the "trappings of the office," which included issuance of a badge. Furthermore, significant background checks, including a full scale FBI background investigation, were favorably completed before this person's nomination was ever submitted to the Senate.
 - one career employee's background investigation identified some issues that needed further review. As soon as the FBI completed its investigation and submitted its report (which occurred after more than 180 days had passed), procedures were initiated to put the employee on leave without pay as prescribed by law (P.L. 103-329). Because the individual was a career employee with civil service rights, he/she was entitled by law to 30 days notice before being placed on Leave Without Pay status. Before the mandatory 30 day notice period expired, the issues identified in the background investigation had been resolved by the employee. Accordingly, we were not in violation of either the letter or the spirit of the law.
- We continue to be in compliance with this law.
- We also continue to comply with the law stating that staff have 30 days to complete security paperwork before they should be put on leave without pay.

Additional Information on Drug Testing:

- In 1993, it took an average of 24 days (or 29 days, depending on the method of analysis used) for an employee to be drug tested after starting work, whereas, on average, in 1994 employees were drug tested an average of 49 days (or 12 days) before they started working at the EOP.
- Even in 1993, the short delays between start date and testing are entirely consistent with the EOP's Drug Free Workplace Plan (which was initially developed during the Reagan administration and approved by an inter-agency working group in 1988). The plan expressly provides for a "transition period" at the start of an administration during which employees are allowed to conditionally start work pending completion of a drug test.
- It is currently the policy of the White House Office for an employee to complete his/her drug test at least one day prior to their first day of work.
- If a person fails their applicant test, they are no longer a candidate for work at the EOP.
- All 572 non-contractor staff members in the database completed drug tests.
 - Because it is the responsibility of each contractor's employer to conduct their drug tests, we do not have access to, nor were we able to provide information on contractor drug testing to the GAO.

Additional Information on Security Paperwork:

- Although it took longer for security paperwork to be completed in 1993, the problem has now been corrected and the average is well below 30 days.
- In fact, many recent hires have been filling out their paperwork even before arriving for their first day of work.
- The average number of days it took employees to complete their SF-86 after their start date decreased from 1993 to 1994.
- Employees starting in 1993 completed their forms on average, 100 days after (or 107 days after, depending on the method of analysis used) they started work. In 1994, employees had completed their SF-86 an average of 52 days before (or 3 days after) they started work.
- 98 percent of non-contractor employees in the study (559 of 570) were in strict compliance with the Chief of Staff's memorandum on SF-86 completion.
- The report identifies 12 non-contractor staff members who were in technical violation of the March 14, 1994 McLarty memorandum on completion of SF-86 forms. In fact, virtually all of these had turned in their paperwork within 6 weeks. In every instance, the paperwork was submitted as soon as the issue was identified.
- No violations of the 30-day rule (which actually became a legal requirement in October, 1994) have occurred since August, 1994.

Additional Information on Timeliness of FBI Background Investigations:

- Once an investigation was returned from the FBI in 1993, it took, on average, 174 days (or 175 days, depending on the method of analysis used) for the White House Counsel's Office to complete the other checks necessary and to forward favorable information to the USSS. In 1994, this average shrunk to 46 days (or 48 days).
- It is important to remember that although the FBI completes their investigation on a particular date, often the White House Counsel's Office must wait for other pieces of information to be returned to them from other agencies concurrently conducting investigations (i.e., the IRS' review of tax payment).
- In 1993, the FBI completed their investigations in 56 days. In 1994, this average grew to 70 days (or 71 days, depending on the method of analysis used).

Chris, —

Attached is a copy
of the info. that
was sent to the Press
Office for your
reference.

Mike

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October 5, 1995

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GAO

Draft Report

to Congressional Requesters

Aug. 1995

PERSONNEL SECURITY:

Pass and Security Clearance
Data for the Executive Office
of the President

Notice:
This draft is restricted
to official use.

This draft report is being provided to obtain advance review and comment from those with responsibility for the subjects it discusses. It has not been fully reviewed within GAO and is, therefore, subject to revision.

Recipients of this draft must not, under any circumstances, show or release its contents for purposes other than official review and comment. It must be safeguarded to prevent publication or other improper disclosure of the information it contains. This draft and all copies of it remain the property of, and must be returned on demand to, the General Accounting Office.

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NSIAD-95-210

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Date

The Honorable William F. Clinger, Jr.
Chairman
Committee on Government Reform and Oversight
House of Representatives

The Honorable Frank R. Wolf
House of Representatives

The Honorable Porter J. Goss
House of Representatives

You asked us to review the White House's procedures for access passes and security clearances issued since January 20, 1993. Because of reported delays of over a year in issuing passes, you expressed concerns about how the White House was managing the access pass and security clearance process. As agreed with your offices, this report presents our (1) analysis of the steps in the access pass approval process for 1993 and 1994 and (2) observations on internal controls over the access pass and security clearance process.

BACKGROUND

One of the ways the Secret Service protects the President and other senior officials is the use of a system of access passes to the White House complex. According to the Secret Service, about 7,000 people have passes allowing access to the White House complex, which includes the White House, the Old Executive Office Building, and the New Executive Office Building. These individuals include employees of the Executive Office of the President, detailees from other government agencies, volunteers, contractor employees, and residence staff. Our review covers staff from selected White House offices, totaling 638 individuals.

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The various types of White House access passes¹ fall into two categories--temporary passes, which are issued initially for 90 days and can be extended beyond the initial period, and permanent passes. The process, as first documented in March 1994, for obtaining a temporary access pass requires employees to

- complete and submit required paperwork, including the Questionnaire for Sensitive Positions Form (Standard Form 86 or SF-86), and
- undergo limited background checks by the Secret Service.

In summary, the process for obtaining a permanent access pass requires the following:

- The White House reviews the required paperwork and forwards it to the Federal Bureau of Investigation (FBI).
- The FBI conducts a background investigation.
- The White House reviews the FBI report and other information and determines whether to recommend approval of a permanent pass.
- The Secret Service issues the pass, if it has no objections.

See app. II for a detailed discussion of the above processes.

¹The Secret Service identified 35 different types of access passes, including several for access to the Old Executive Office Building, several for access to the New Executive Office Building, and three for members of the press.

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The White House allows employees of the White House Office, the Office of the Vice President, and the Office of Policy Development with permanent White House passes and a need-to-know to have access to classified information up to top secret. Staff from other offices within the Executive Office of the President grant security clearances under Executive Order 10450, as amended.²

To measure timeliness of the pass process, we analyzed dates in the process for employees who entered on duty between January 20, 1993, and September 16, 1994. These 638 individuals were paid from appropriations available to five White House offices.³ As agreed with your offices, the scope of our work was to determine the time it took to obtain passes and analyze time intervals for selected steps in the process. The White House provided us with explanations for questions arising from our analysis of the intervals and we present their statements. However, we did not evaluate the reasons for timeframe delays or White House explanations. Appendix I describes, in detail, the scope and methodology of our review.

²Executive Order 10450 provides the basic security standards for agencies to follow. Executive Order 12968, issued on August 4, 1995, updated and revised the government's personnel security program, but did not supercede Executive Order 10450.

³These employees included current and former staff, contractors, and detailees who worked for one of the following offices within the Executive Office of the President: the White House Office, the Office of the Vice President, the Office of Policy Development, the Office of Administration, and the Office of National Drug Control Policy. Not included were unpaid volunteers and individuals who were employed for short periods early in the administration to assist the President in making political appointments and who were never intended to receive a permanent pass.

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RESULTS IN BRIEF

Individuals entering on duty during 1993 received Secret Service approval for permanent White House access passes an average of 346 days from their start date, but the average time of approval fell to 98 days for staff entering in 1994.⁴ According to White House officials, the White House has not historically tracked time interval data related to the access pass process, thus we could not compare the information we analyzed to prior experience.

Figure 1 shows the relative time needed to obtain a permanent pass in 1993 and 1994 for each process step.

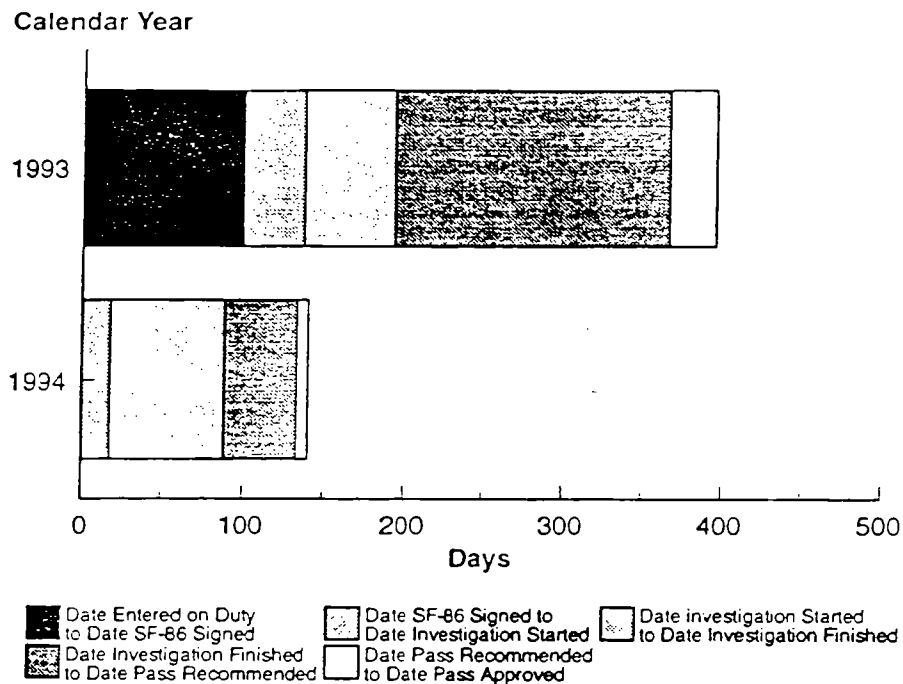
⁴These are the averages for all individuals approved for access passes. In the appendixes, we also discuss averages based on adjustments reflecting cases where an individual deviated from the steps generally followed in the process. For example, an individual may have completed certain paperwork for the process because of prior employment before entering on duty with the White House.

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Figure 1: Average Time Required to Complete Selected Steps in the Permanent Access Pass Process During 1993 and 1994.



Note: The times for individual steps do not add to the total processing times because not all individuals were involved in every step. Also, no interval is shown for the submission of the SF-86 in 1994 because the SF-86 was signed on average before an individual entered on duty.

The longer time needed to process 1993 entrants was primarily attributable to the time individuals took to complete the SF-86 and to subsequent actions taken by the Executive Office of the President. These actions include the time taken to review the SF-86; and then to review the FBI investigative report and other reports, and recommend that a permanent access pass be approved.

During 1993, there were no written time standards for completing the various access pass processes, except for goals set by the FBI relating to its segment of the process. The White House set a standard in March 1994 that gave each employee 30 days to complete

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the SF-86. The Treasury, Postal Service and General Government Appropriations Act for 1995 (P.L. 103-329), enacted in September 1994, made this standard a legal requirement and also mandated that, with certain exceptions, a permanent pass be recommended for approval within 6 months after a person entered on duty at the White House. The FBI raised its goal for completing background investigations from 45 days to 60 days in late 1994. Although the FBI did not always meet this goal, FBI and Secret Service actions did not substantially add to the processing time in 1993.

White House and congressional actions have established process changes and controls to improve the access pass and security clearance process. For the timeframes and offices we reviewed, with few exceptions, the timeframes had been reduced and the procedures adhered to. Our observations also show a potential for strengthening controls in renewing temporary passes, revoking passes after separation, and granting security clearances at the start of a new administration.

PROCESSING TIMES WERE LONGER
IN 1993 THAN IN 1994

The processing time between when a person entered on duty, obtained a temporary pass, and received Secret Service approval for a permanent pass was substantially shorter in 1994 than in 1993.⁵ The White House attributed the time reductions in the process to the following reasons: the number of individuals entering on duty decreased in 1994; the White House corrected inefficiencies and implemented computerized tracking; the White House and Congress established time standards; and staff and officials became more experienced. The two steps in the process that most contributed to

⁵Unless otherwise specified, a specific year refers to when an action began, but did not necessarily conclude.

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the lengthy processing time during 1993 were the time taken by employees to submit paperwork and the White House to review it.

Employee Timeliness

The amount of time individuals took to complete the SF-86 after entering on duty was reduced from about 100 days to a few days or less from 1993 to 1994. According to White House officials, this change occurred because the White House issued standards in March 1994 that required individuals to submit the SF-86 within 30 days of entering on duty. Public Law 103-329 put this 30-day requirement in law. Prior to these actions, there were no documented standards for this part of the process. However, White House officials said that informal standards existed. (See app. III.)

Agency Timeliness

The times needed by the Executive Office of the President to (1) review the SF-86 for completeness before submitting it to the FBI and (2) review the FBI's investigative report and other documentation and recommend to the Secret Service that a permanent pass be issued were less in 1994 than in 1993. For example, the second step took 174 days in 1993 and 46 days in 1994.

The FBI was not always able to meet its goal for conducting background investigations during either 1993 or 1994, and increased its goal from 45 days to 60 days in late 1994. FBI officials cited several reasons for not meeting the goal, including an increased overall caseload and reduced resources.

The average number of days it took the Secret Service to approve a permanent pass after receiving the White House recommendation

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decreased from 29 days in 1993 to 7 days in 1994. The Secret Service attributed these times primarily to the White House not promptly sending pass requests to the Secret Service. (See app. III.)

OBSERVATIONS ON CONTROLS

White House and legislative actions have resulted in a number of process changes and additional controls designed to improve the timeliness of the access pass and security clearance process. The data we analyzed shows these changes, with few exceptions, are being adhered to. For example, when it was discovered that a career employee had taken longer than the 6 months allowed under Public Law 103-329 to be recommended for a permanent pass, the White House initiated action to suspend the employee. The issue causing the delay was resolved within a month and a pass was issued. Also, most individuals have complied with a March 14, 1994, Chief of Staff directive to complete the SF-86 within a specified time, up to 30 days, although 11 did not. As described below, we have several observations on potential opportunities to strengthen controls that are not necessarily related to White House timeliness.

First, we noted that the White House procedures and legislative provisions recognize the possibility of delays beyond employee or White House control, such as reviews by other agencies taking several months to complete. Additional attention may be warranted to strengthen controls when it is necessary to renew temporary access passes in these situations. Temporary passes give people access to the White House complex while they wait for a permanent pass and are usually issued to individuals within a few days of when they enter on duty. Temporary passes are usually issued for 90 days but may be extended in 30-day increments. Individuals

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included in our analysis held temporary passes for an average of 343 days prior to obtaining Secret Service approval for a permanent pass in 1993 and for 114 days in 1994. Our discussions with Secret Service officials indicated that during the longer processing times in 1993, the Service routinely granted eight or more extensions to individuals for temporary passes. (See app. IV.)

Second, additional attention may be warranted to strengthen controls to ensure that both temporary and permanent passes are revoked upon departure when appropriate. Of the 638 records we analyzed, 188 (29 percent) show that the individuals had left their designated White House organization. We did not verify whether permanent passes were voided or returned in these cases.⁶ However, the data showed that seven permanent passes were approved by the Secret Service after the person left. The Secret Service has no process to verify continued need for passes. Secret Service officials stated that they rely on the White House for notification of departure and termination of access passes. White House officials stated that they monitor arrivals and departures of staff closely and that passes are returned unless retention is justified. We confirmed that the White House has procedures in this area, but we did not discuss specific cases. (See app. IV.)

Third, procedures may be needed to require interim security clearances for White House Office staff who later receive access to classified information by virtue of permanent access passes. Through December 1994, 381 of 638 records we analyzed show that the person had been authorized access to classified information. These included 359 personnel in the White House Office, the Office of the Vice President, and the Office of Policy Development who could have been given access to classified information on a need-to-know basis

⁶We used individual records with specific identifying data excluded and thus could not follow up on specific cases.

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by virtue of holding a permanent White House pass. Also there were 22 individuals, in the Office of Administration and the Office of National Drug Control Policy who could have been granted access under Executive Order 10450. The first of the permanent White House passes was not approved until September 30, 1993, and the first of the 22 security clearances was not granted until June 22, 1993.⁷ We asked how the offices conducted business involving classified information during these 8- and 5-month periods. White House officials stated that interim clearances were provided to about two dozen senior staff during this time. They also stated that the overwhelming majority of the classified work done in the White House is done by the staff of the National Security Council, which is not one of the offices included in the data we analyzed. Procedures for dealing with similar circumstances in future administrations may be needed. (See app. IV.)

AGENCY COMMENTS AND OUR EVALUATION

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Unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days after its issue date. At that time, we will send copies to appropriate congressional committees, the White House Chief of Staff, the Assistant to the President for Management and Administration, the Attorney General, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, the Director of the Secret Service, the Director of the Office of Management and

⁷In addition, one individual had a clearance at the time he entered on duty.

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Budget, and other interested parties. We will make copies available to others on request. If you have any questions, please call me on (202) 512-8412. Major contributors to this report are listed in appendix VI.

David R. Warren, Director
Defense Management and NASA Issues

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SCOPE AND METHODOLOGY

To assess timeliness of processing White House access passes and security clearances, we examined the time intervals associated with each processing step; reviewed the process and associated laws, regulations, policies, and procedures; and interviewed officials from the White House, Secret Service, FBI, the Office of Government Ethics, and the Defense Finance and Accounting Service.

To calculate the processing time for passes and clearances, we collected the following key event dates associated with processing steps for staff⁸ assigned to the White House Office, Special Assistance to the President (Vice President's Office), Office of Policy Development, Office of Administration, and Office of National Drug Control Policy, on or after January 20, 1993, who were paid with White House appropriated funds and needed a permanent pass.

1. Date the person entered on duty.
2. Date the SF-50 was signed.⁹
3. Date the person took a drug test.¹⁰
4. Date the person signed their SF-86.
5. Date the person was issued a temporary pass.
6. Date the FBI initiated a background investigation.
7. Date the FBI finished the investigation.

⁸Staff included long-term contractors, reimbursable detailees (terms of 6 months or more), and consultants, as well as career and political appointment staff needing a permanent pass.

⁹The SF-50 indicates that a personnel action has been completed; in this case, it relates to the date entered on duty.

¹⁰As indicated in appendix III, this is not a formal part of the access pass process.

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APPENDIX I

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8. Date the permanent pass was approved.¹¹
9. Date the permanent pass was issued.¹²
10. Date the security clearance was granted.
11. Date the person separated, if applicable.

For reasons of confidentiality, the White House provided a number and office designation for individuals covered within the period of our analysis.

The White House compiled a database containing an identifier and the key dates, when available,¹³ for each of 638 individuals. Dates were provided for (1) individuals entering on duty as of January 20, 1993, through September 16, 1994, and (2) process steps completed by December 13, 1994. Dates associated with processing steps involving the Secret Service and FBI were supplied to the White House by those agencies. We received the database containing the key event dates from the White House in January 1995 and worked with the White House to correct administrative mistakes found in the database. We also verified a random sample of event dates in the database using original personnel documents and other records.

We analyzed intervals between key event dates to determine average, minimum, and maximum processing times; as well as trends over time.

¹¹For this interval, we used the date the White House recommended to the Secret Service that a permanent pass be approved.

¹²For this interval, we used the date the Secret Service approved a permanent pass for issuance.

¹³Dates were not always available for such reasons as staff separated before a date was met, contractor staff did not receive an SF-50, drug testing dates were not provided for contractor staff because such tests are administered by contractors and not the White House, and not all staff needed security clearances.

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APPENDIX I

APPENDIX I

We discussed our analyses with White House, Secret Service, and FBI officials to determine reasons for processing times individually and for overall trends. In our analyses, we obtained White House explanations of individual cases and overall trends, but we did not further examine supporting documentation, as agreed with the requesters' offices. The effects of the limited examinations are noted in the report where appropriate.

After the database was finalized, White House officials proposed that dates for 54 individuals not be included since they reflected anomalies that skew the analysis.¹⁴ We agree that these individuals followed a different pattern than the majority of individuals in the database. However, they do represent the actual pass approval process for these individuals, consequently, we present both sets of data in our detailed analyses.

Excluding the 54 individuals, in most instances, increased the average amount of time for an interval. Some individuals received a pass when employed by an office that was not subject to this review. For example, a person who was employed in January 1993 by the Office of Management and Budget, an office not included in our analysis, could have received a permanent pass and then transferred in 1994 to the White House Office. As a result, the record would show a 1994 entered-on-duty date and earlier times for all other key event dates. The effect of this in our analysis is that when

¹⁴Of the 54, 45 transferred from a position within the Executive Office of the President or another government agency to the position shown in the database, 2 transferred from their position as shown in the database to another office within the Executive Office of the President, 5 were originally 90-day hires that became permanent employees, and 2 had background investigations completed prior to entering on duty. We were not able to determine whether these 54 represented all individuals in these situations.

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APPENDIX I

APPENDIX I

the entered-on-duty date is analyzed against the other key event dates, the result is a negative number. In our overall analyses, we added all the time differences, negative and positive, to calculate an average.

We conducted our review from May 1994 to August 1995 in accordance with generally accepted government auditing standards.

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THE ACCESS PASS PROCESS

This appendix describes the process typically followed by White House complex employees for obtaining a White House access pass and/or security clearance, according to agency procedures that were first issued in March 1994 and the statements of agency officials. This process involved activities related to three generally uniform steps: (1) initiating pre-employment tasks, (2) obtaining a temporary pass, and (3) obtaining a permanent pass. Procedures for employees requiring access to classified information vary by organization. (See app. IV.)

STEP 1: INITIATING
PRE-EMPLOYMENT TASKS

The following tasks must be completed concerning each applicant's appointment:

- Applicants must undergo a security interview conducted by the White House Personnel Security office.
- Applicants must submit to a drug test. It normally takes about 10 days to get the results, and if they are positive, the person would be disqualified from appointment.¹⁵
- Applicants must undergo an initial namecheck in which their name, date of birth, place of birth, and Social Security

¹⁵In addition to having a drug test as an applicant, a person is subject to random drug testing once employed by the Executive Office of the President, in accordance with Executive Order 12564, issued September 15, 1986, and the Executive Office of the President Drug-Free Workplace Plan, as amended in December 1992.

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number are checked through the Secret Service's Workers, Appointment, and Visitors Entrance System. This consists of checks through four computer databases: the FBI's National Crime Information Center database, a criminal history database, a Secret Service database, and a Washington-area law enforcement database. According to White House officials, the results are usually back within a day.

- Applicants must undergo a more extensive FBI namecheck. The White House forwards the person's name and date of birth to the FBI, which checks the name through the FBI Central Records System, computer databases, and the Criminal Justice Information Services' database to identify any derogatory information and prior arrest records. The FBI has 60 million names in its files. Almost 13,000 name checks were done for the Executive Office of the President and associated offices in fiscal year 1993, and over 7,200 checks were done in fiscal year 1994. The processing time for this more extensive namecheck typically takes several days, according to White House and FBI officials.

STEP 2: OBTAINING A TEMPORARY PASS

Each new employee who is expected to work 90 days or more has 30 days from the date entered on duty to complete the SF-86, an FBI investigation consent form, a tax check waiver, and a personal data statement questionnaire (for employees of certain offices) and provide other personal data as needed. This 30-day standard was established by the White House on March 14, 1994. Employees not meeting this standard are to have their access to the White House revoked and are to be placed on leave without pay until the

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APPENDIX II

APPENDIX II

paperwork is completed. Prior to March 1994, there were no written standards for completing the SF-86.

If the person has completed the SF-86 and related paperwork, the results of the initial namecheck are satisfactory, and the FBI namecheck has been submitted, the person is placed on the White House access list. This means the person must present positive identification each time he or she enters the White House complex. Prior to this time, the person is allowed into the complex only with an appointment and identification.

After a satisfactory FBI namecheck is returned, the White House Office of Personnel Security recommends to the Secret Service that a temporary pass be issued to the employee for a period not to exceed 90 days, although 30-day extensions are allowed. The person is fingerprinted by the Secret Service, and the fingerprints are sent through the national database. Each new employee is required to attend a security briefing, and his or her attendance is documented. In the case of an extension, the Secret Service only contacts the person's office, prior to the expiration of the temporary pass, to determine if an extension is needed.

The SF-86 forms from White House Office, Office of the Vice President, and Office of Policy Development staff go to the White House Counsel's office. A security officer in the Office of Administration reviews the SF-86 forms of individuals from the Office of Administration and the Office of National Drug Control Policy. According to White House officials, each SF-86 is reviewed to verify its correctness and completeness and to determine if any immediate issues need to be addressed.

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STEP 3: OBTAINING A PERMANENT PASS

Before a permanent pass or a security clearance can be issued, the FBI, or some other agency, must conduct a full-field background investigation. The White House Counsel's request to the FBI for such an investigation includes the SF-86 and related documents.

FBI officials told us that their goal for first-time full-field background investigations was changed in late 1994 from 45 to 60 calendar days. An updated investigation, which is done every 5 years, has a goal of 90 days. According to FBI officials, these goals were changed before 1993 due to FBI staff shortages and an increased demand for investigations. The goals had been 35 calendar days for a first-time investigation and 75 days for a reinvestigation. FBI officials explained that the difference in goals is due to the urgency of completing first-time investigations. The FBI estimates that it conducts about 1,000 to 1,500 background investigations a year for the Executive Office of the President--about 25 percent of the FBI total.

According to FBI officials, if the investigation reveals information that warrants attention, the FBI notifies the White House Counsel's Office, the White House Office of Personnel Security, or the Security Office of the Executive Office of the President and might provide an interim report. At the completion of its investigation, the FBI sends an investigation summary to the White House Counsel, who in turn forwards a copy to the Secret Service. Depending on the case, the FBI may also send copies of individual interview summaries but does not typically send the complete investigative file.

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According to White House officials, once the Counsel's office receives the FBI background investigation summary, its review process may involve a wide range of issues. Such issues may include prior arrests, credit problems, inability to verify previous employment, or mistakes in paperwork. The White House determines any needed follow-up, such as contacting the subject for additional information or having the FBI investigate further. White House officials said that they rarely found it necessary to request a follow-up investigation.

White House officials stated they have several sources of information available to them during the review process, such as the FBI's background investigation report; the SF-86; the personal data statement provided by the employee (if applicable); the tax check results; financial disclosure information; and the National Crime Information Center check results. As information is returned from the agencies and departments, White House procedures, since March 1994, have required that it be reviewed within 5 days by the White House Counsel's office and the White House Personnel Security office. The decision to grant a permanent pass involves not just security concerns, but also suitability for continued employment, since the White House may decide, based on its review, not to permanently hire certain individuals.

After Counsel has resolved any questions, the relevant security office in the Executive Office of the President sends a written request to the Secret Service for a permanent access pass for the employee. The Secret Service, if it agrees there is no danger to the President or other Service protectees, issues the permanent pass. According to White House and Secret Service officials, during the period of our review, the White House never directed the

Secret Service to issue a pass in circumstances that it was otherwise reluctant to do.

According to White House officials, the process for obtaining a permanent pass is the same for a volunteer as for an employee or contractor. These officials said that most White House volunteers are citizens who perform duties related to correspondence and do not have permanent passes, but are allowed entry based on an access list and identification. However, they also said that there are volunteers, estimated to be approximately 80, who perform work in areas in which a permanent pass is more suitable for allowing them to carry out their responsibilities. For example, the current and most recent White House Counsel have accepted no salary.

ANALYSIS OF KEY EVENT TIME INTERVALS

We analyzed time intervals using both the complete, unadjusted database and an adjusted database that excluded the 54 individuals referred to in appendix I. Most of these individuals transferred from one position to another position within the Executive Office of the President.

White House, FBI, and Secret Service officials provided us with their explanations regarding the results of the analyses presented in this appendix and in appendix IV. Our analyses did not include verifying the accuracy of the explanations.

Not all records were applicable to include in averaging the interval comparisons. Table III.1 shows the number of applicable and nonapplicable records by category. Records considered to be nonapplicable include those in which a person separated prior to one or more key event dates, action was not completed and therefore pending as of the closure date of the database, or action was taken in some other way, such as a person having a background investigation conducted by an agency other than the FBI. (Dates were not provided in these cases.)

Table III.1: Applicable and Nonapplicable Records for Specified Intervals

Interval comparison	Unadjusted database		Adjusted database	
	Applicable records	Nonapplicable records	Applicable records	Nonapplicable records
Date entered on duty to date the permanent pass was approved	504	134 --112 separated -- 22 pending -- 0 other	458	126 --107 separated -- 19 pending -- 0 other
Date entered on duty to the date the SF-86 was signed	613	25 -- 23 separated -- 0 pending -- 2 other	559	25 -- 23 separated -- 0 pending -- 2 other
Date the SF-86 was signed to the date the FBI initiated a background investigation	600	38 -- 35 separated -- 0 pending -- 3 other	546	38 -- 35 separated -- 0 pending -- 3 other
Date the FBI finished a background investigation to the date the permanent pass was recommended	522	116 -- 95 separated -- 18 pending -- 3 other	473	111 -- 93 separated -- 16 pending -- 2 other
Date the FBI initiated a background investigation to the date the FBI finished the investigation	574	64 -- 50 separated -- 11 pending -- 3 other	523	61 -- 50 separated -- 9 pending -- 2 other
Date a permanent pass was recommended to the date the pass was approved	504	134 --112 separated -- 22 pending -- 0 other	458	126 --107 separated -- 19 pending -- 0 other

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TIME NEEDED TO BE APPROVED
FOR A PERMANENT PASS

The processing time needed for an individual to be approved for a permanent White House access pass after entering on duty decreased from 1993 to 1994, as did most of the individual interval time frames leading up to the Secret Service approval of a pass. As shown by table III.2, the average number of days it took to approve a permanent pass decreased from 1993 to 1994.

Table III.2: Average Days From the Date Entered on Duty to the Date a Permanent Pass Was Approved by the Secret Service.

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	346	356
1994	98	129
Overall average	295	315

Only 2 permanent passes were approved by the Secret Service prior to September 20, 1993, and of the 400 staff entering on duty during 1993, 250 took over 300 days to be approved for permanent passes. Only 1 of 104 staff entering on duty in 1994 took over 300 days. White House officials attributed the longer processing times in 1993 to (1) operational and administrative inefficiencies and (2) the large volume of staff entering on duty in 1993. They said the time decreased in 1994 because (1) fewer people began work, (2) the White House corrected some inefficiencies in the process, (3) the White House Chief of Staff and Congress emphasized the pass process and established standards for it, (4) the White House began using computers to track the process, and (5) staff and officials became more experienced in the process.

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APPENDIX III

APPENDIX III

With the passage of Public Law 103-329, an employee of the Executive Office of the President must be placed on leave without pay if the person has not, within 6 months of commencing employment or by October 31, 1994, whichever is later, had a background investigation, if completed, forwarded to the Secret Service for issuance of an access pass. Our review indicates that there are two individuals who had not had a permanent pass request made within the required 6-month time period as of December 13, 1994--the last date covered by our analysis.¹⁶ Six contractors also did not meet the legal deadline, but contractors were not considered to be subject to the law, according to White House officials.¹⁷

The following sections describe our analysis related to each time interval between the date a person entered on duty and the date the person was approved for a permanent pass. We also discuss key time intervals related to the drug test date. Although the White House does not consider the drug test to be part of the access pass process, we include information about the drug test date because our requesters asked that we analyze that data.

¹⁶According to White House officials, the first individual was a career employee with civil service protection whose background investigation was completed on November 5, 1994. According to the officials, proper administrative action was taken on November 18, 1994, to resolve a background issue, and a pass was issued to this person within 30 days of the administrative action. The second individual was a person who was waiting for Senate confirmation for a position with the Office of National Drug Control Policy and had requested that a permanent pass not be issued until confirmed by the Senate.

¹⁷According to White House officials, for purposes of administrative efficiency, contractors are now treated as if they were subject to P.L. 103-329. According to the officials, this change was made at some time after October 31, 1994, the effective date of the law.

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COMPLETION OF THE SF-86

The first step in obtaining a permanent pass is for the individual to complete the SF-86 and related paperwork. Table III.3 shows that the average number of days needed to complete the SF-86 after entering on duty decreased from 1993 to 1994.

Table III.3: Average Days From the Date Entered on Duty to the Date the SF-86 Was Signed

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	100	107
1994	-52 ^a	3
Overall average	66	86

^aThe individuals who entered on duty in 1994, on average, signed their SF-86 52 days prior to entering on duty.

For the period of our review, there were 190 individuals who took more than 100 days to complete the SF-86, including 36 who took over 300 days. All but 3 of the 190, and all of the 36, entered on duty during 1993.

The White House attributed the time reductions from 1993 to 1994 to staff compliance with a directive issued by the Chief of Staff on March 14, 1994. The directive required that (1) all staff who entered on duty prior to March 1, 1994, complete their SF-86 by March 18, 1994; (2) all staff who entered on duty between March 1, 1994 and March 14, 1994, complete their SF-86 by March 31, 1994; and (3) all staff who entered on duty after March 14, 1994,

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APPENDIX III

APPENDIX III

complete their SF-86 within 30 days of entering on duty. The White House further issued guidelines on March 21, 1994, that gave each new employee 30 days from the date the individual entered on duty to complete the SF-86. Prior to these instructions, there were no written standards for completing these documents. Employees who do not meet this standard are to have their access to the White House revoked and are to be placed on leave without pay until they complete the paperwork.

Eleven individuals (not counting 22 contractors) did not meet the deadline required by the Chief of Staff's directive or White House guidelines. White House officials said that in all of these cases, the situation was resolved promptly after discovery and the SF-86 was then submitted in a timely matter, with no one placed on leave without pay.

Three of 471 noncontractor employees who entered on duty prior to March 1, 1994, did not complete the SF-86 by March 18, 1994, as required. All 3 signed the SF-86 by March 30, 1994, but took 434 days, 432 days, and 35 days to do so from the date they entered on duty.

Employees who entered on duty between March 1, 1994, and March 14, 1994, were required to complete the SF-86 by March 31, 1994. Two of six employees did not meet this requirement. Both signed the SF-86 by April 25, 1994. These two individuals took an average of 43 days from the date they entered on duty to complete the SF-86.

Employees who entered on duty after March 14, 1994, were required to complete the SF-86 within 30 days of the date entered on duty. Six of 73 employees did not meet this requirement.

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APPENDIX III

APPENDIX III

- Five of the six were from the Office of National Drug Control Policy, and according to White House officials, the five cases involved administrative error. These five people signed their SF-86 an average of 60 days after entering on duty.
- Another entered on duty on May 16, 1994, and signed the SF-86 on June 28, 1994, an interval of 43 days. According to White House officials, it was known at the time of entry that this person was leaving White House employment. The person separated on October 2, 1994.

With the passage of Public Law 103-329 in September 1994, Congress required that White House employees complete the SF-86 within 30 days of entering on duty or by October 31, 1994, whichever occurred later. None of the cases in our database are covered by this provision of the law. White House officials told us that they have complied with this provision.

WHITE HOUSE OFFICE INDICATORS

We analyzed two key event intervals that are the responsibility of the Executive Office of the President: (1) the time between when an SF-86 is signed and when the White House forwards it to the FBI for a background investigation and (2) the time between when the FBI completes a background investigation and the White House recommends that a staff member receive a permanent pass.

Table III.4 shows that the average number of days needed for the White House to review submitted SF-86s for correctness and completeness before forwarding them to the FBI decreased from 1993 to 1994.

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Table III.4: Average Days From the Date an Individual Signed an SF-86 to the Date the White House Forwarded the SF-86 to the FBI

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	38	37
1994	18	18
Overall average	33	32

In 1993, the White House's review of SF-86s took over 100 days in 34 of 434 cases, and in 1994, it took over 100 days in only 2 of 155 cases. White House officials stated that the unfamiliarity of staff and reviewing officials with the information requirements of the SF-86 caused reviewing officials to request additional data, thus delaying the requests for FBI investigations.

Table III.5 shows that the average number of days for the White House to recommend approval of a permanent pass after receiving the FBI's investigative report decreased from 1993 to 1994.

Table III.5: Average Days from the Date the FBI Concluded the Background Investigation to the Date the White House Recommended Approval of a Permanent Pass

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	174	175
1994	46	48
Overall average	127	125

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During 1993, the White House took over 100 days to recommend the approval of a permanent pass in 202 of 294 cases, whereas in 1994, it took over 100 days in only 26 of 217 cases. According to White House officials, the longer times were attributable to awaiting information other than the background investigation, such as tax checks, and the decrease from 1993 to 1994 resulted from the correction of procedural inefficiencies.

FBI INDICATORS

Table III.6 shows that the average number of days needed by the FBI to conduct a background investigation increased somewhat from 1993 to 1994.

Table III.6: Average Days from the Date the FBI Initiated a Background Investigation to the Date the FBI Concluded the Investigation

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	56	56
1994	70	71
Overall average	59	59

In 1993, the FBI took over 100 days to complete 17 (4 percent) of 402 investigations. In 1994, the FBI took over 100 days to complete 18 (11 percent) of 159 investigations. The FBI's goal of completing investigations within 45 days of initiation was not met 66 percent of the time in 1993 and 87 percent of the time in 1994. According to an FBI official, the goal was changed in late 1994 to 60 days. We did not assess the impact of the goal change because

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there were no records of investigations started and completed during the last quarter of 1994.

An FBI official said background investigations exceeded the FBI's goal for the following reasons.

- The FBI has a limited investigative and administrative staff in the background investigative area and their overall caseload in that area increased.
- FBI field personnel who conduct background investigations also have numerous other investigative and administrative responsibilities.
- Forms submitted early in the period of our review were sometimes incomplete.
- Individuals and documents were not always readily available.
- Obtaining information from overseas sources slowed the collection of information.
- Unfavorable information sometimes required more attention.
- Expediting some investigations slowed the progress of others.

SECRET SERVICE INDICATORS

Table III.7 shows that the average number of days needed for the Secret Service to approve a permanent pass after the White House recommended that a pass be issued decreased from 1993 to 1994.

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Table III.7: Average days from the Date of White House Recommendation to Secret Service Approval of a Permanent Pass

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	29	31
1994	7	7
Overall Average	12	12

During 1993, the Secret Service took over 30 days to approve 34 of 115 passes, whereas in 1994, this happened in 15 of 388 cases.

The Secret Service attributed the higher 1993 average to the White House not promptly sending pass requests to the Secret Service. Secret Service officials told us that in 1994, it took the Secret Service an average of 3 days to approve a permanent pass after receiving the pass recommendation from the White House. This means that it took an average of 4 days between the time the White House recommended that a pass be approved and the time the Secret Service received the recommendation. Similar data were not available for 1993.

DRUG TEST INDICATORS

All 572 noncontract employees included in the unadjusted database reported for drug tests. Contractors are responsible for conducting their employees' drug tests, and we did not separately request the dates for these tests. Table III.8 shows that the average number of days between when the person entered on duty to when the drug test was taken decreased from 1993 to 1994.

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Table III.8: Average Days from the Date Entered on Duty to the Date the Drug Test Was Taken

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	24	29
1994	-49	-12
Overall average	10	23

The Executive Office of the President Drug-Free Workplace Plan, as amended in December 1992, states that due to the large number of new employees at the beginning of a new administration, it is impractical to test all of them prior to their appointments. According to White House officials, this meant that applicants were not required to take drug tests prior to appointment throughout much of 1993.

Table III.9 shows that individuals typically were issued a temporary pass prior to taking a drug test.

Table III.9: Average Days from the Date the Drug Test Was Taken to the Date a Temporary Pass Was Issued

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	-5	-3
1994	-17	3
Overall average	-6	-1

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OBSERVATIONS ON CONTROLS

White House and congressional actions have established process changes and controls to improve the access pass and security clearance process. For the timeframes and offices we reviewed, with few exceptions, the timeframes had been reduced and the procedures adhered to. Our observations also show a potential for strengthening controls in renewing temporary passes, revoking passes after separation, and granting security clearances at the start of a new administration.

TEMPORARY PASS ISSUANCE DATA

Table IV.1 shows that the average number of days needed for an individual to be issued a temporary pass after entering on duty decreased from 1993 to 1994.

Table IV.1: Average Days from the Date Entered on Duty to the Date a Temporary Pass Was Issued

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	19	26
1994	-26 ^a	20
Overall average	10	25

^aThe individuals who entered on duty in 1994, on average, received a temporary pass 26 days prior to entering on duty.

Temporary passes allow individuals access to the White House complex while waiting for a permanent pass. Although since March 14, 1994, individuals are to have completed the SF-86 (and other

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APPENDIX IV

APPENDIX IV

tasks) prior to obtaining a temporary pass, some did not. Temporary passes are initially issued for a period of 90 days and can be extended. A number of extensions were granted. Individuals held these passes for an average of 341 days in 1993 and 110 days in 1994 before being approved for a permanent pass.

SF-86 Often Not Completed

Prior to Temporary

Pass Issuance

Since March 14, 1994, an individual is expected to have an SF-86 completed before receiving a temporary pass. Of the 439 individuals who signed their SF-86 in 1993, 310 (71 percent) received a temporary pass prior to signing the SF-86. White House officials told us that early in the administration individuals were not required to have a completed SF-86 before receiving a temporary pass.

Our analysis of the database indicates that two noncontractors were issued temporary passes after March 14, 1994, even though they had not yet submitted an SF-86. White House officials said that these individuals had both been interns and had a prior SF-86 on file, which had not been reflected in the database. Ten contractor employees were also issued temporary passes after March 14, 1994, even though they had not yet submitted an SF-86. White House officials said that Office of Administration policy at that time was to not process the SF-86 for contractors until after they had concluded a probationary period. The officials stated that this is no longer the policy.

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Temporary Passes Were
Often Extended

Temporary passes are usually issued for 90 days but can be extended. Table IV.2 shows the average time between issuance of the temporary pass and approval for the permanent pass.

Table IV.2: Average Days from the Date a Temporary Pass Was Issued to the Date a Permanent Pass Was Approved by the Secret Service

Year	Average number of days unadjusted data	Average number of days adjusted data
1993	341	343
1994	110	114
Overall average	293	294

In 1993, 361 of 398 individuals took 200 days or more to be approved for a permanent pass, whereas in 1994, only 5 of 104 individuals receiving temporary passes took 200 days or more to be approved for a permanent pass. White House officials attributed the decrease from 1993 to 1994 to changes in the processing procedures.

In addition, as of December 13, 1994, the cutoff date for our analysis, 22 individuals, including 10 contractors, were employed but had not been approved for a permanent pass. Two had not received a temporary pass and the other 20 held a temporary pass an average of 132 days, as of the cutoff date. Of 15 who held temporary passes more than 90 days,

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APPENDIX IV

APPENDIX IV

- 3 had permanent passes recommended by the White House but not yet approved by the Secret Service and had waited 37 days on average since the White House recommendation;
- 3 had background investigations completed for an average of 58 days since the completion; and
- 9 were still undergoing their background investigations for an average of 57 days.

Given the routine nature of the approval of temporary pass extensions, consideration should be given to strengthening controls in this area.

DATA RELATED TO STAFF SEPARATIONS

Out of the database of 638 records, 188 (29 percent) indicate that the individuals have separated from the office or contractor position shown in the database. The individuals left at various stages in the process of obtaining a permanent pass or security clearance. Once an individual leaves White House employment, according to White House officials, there are procedures to ensure that the individual turns in the pass. However, the Secret Service has no means of verifying an individual's employment status and continued need for a permanent pass. Attention to strengthening controls in this area would be appropriate. We examined documents related to these procedures, but did not independently verify whether permanent passes were voided or returned in these cases.

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Individuals Have Left at Various
Stages of the Access Pass and
Security Clearance Process

Of the 188 records that indicate separation, 7 individuals moved from one office within the Executive Office of the President to another office. Four additional records concern two individuals who moved from one office within the Executive Office of the President to another office, and then left the second office. Thus, both individuals show two departure dates in the database. The other 177 records are for people who have left the Executive Office of the President.

All seven individuals who are now with a second office within the Executive Office of the President were approved for a permanent pass either with the first office or the second office. All received a temporary pass.

Of the two individuals who worked for and separated from two offices, one was approved for a permanent pass while with the second office. The other individual had a background investigation conducted while at the second office and left this position 13 days after the background investigation was completed. A permanent pass has not been recommended or approved. Both individuals received a temporary pass.

Of the other 177 people who separated from the Executive Office of the President,

- 67 were approved by the Secret Service for a permanent pass;
- 17 were recommended by the White House for a permanent pass, which was never approved by the Secret Service;

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- 43 had a completed background investigation, but were never recommended for a permanent pass;
- 21 had a background investigation initiated, but never completed; and
- 29 separated without the FBI initiating a background investigation.

Concerning this data, White House officials said that in the overwhelming majority of instances, the departure was unrelated to the pass process. The officials also said that, for example, the fact that an individual left after the background investigation was completed, but before a recommendation for a pass was made does not suggest that something in the background investigation precipitated the departure. The officials said that similarly, the fact that an individual departed after the White House recommended issuance of a pass, but before the Secret Service approved the pass does not imply that the individual left because the Secret Service declined to approve the pass. The officials concluded by saying that as a general proposition, a detailed exposition of the relationship between departure dates and various steps in the pass process suggests a correlation that bears no relationship with reality.

Sixty-seven people were approved for a permanent pass.

- Seven were approved an average of 186 days after they had departed. In five of these cases, according to White House officials, the person went to another government agency but continued to need access to the White House. Another case involves a person who came back to the White House as a detailee from another agency. We do not have information on the seventh person.

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- Sixty left an average of 125 days after a permanent pass was approved by the Secret Service. We do not have information on how many returned the pass after departure.

Seventeen people had a permanent pass recommended but never approved.

- Six had a permanent pass recommended after they left. One person, according to White House officials, left the Office of Policy Development but is expected to return in some capacity. We do not have information on the other five individuals. These six individuals separated an average of 44 days before the permanent pass was recommended.
- Eleven left an average of 93 days after a permanent pass was recommended.

The FBI completed the background investigation for 43 people, but they never had a permanent pass recommended.

- Five had an FBI background investigation initiated and completed after they departed. White House officials told us that the background investigation was done in three cases because the individuals needed a pass in some other capacity-- one as a White House detailee, one as a White House volunteer, and one as an employee of another government agency. We do not have information on the other two individuals. These five individuals left an average of 164 days before the background investigation was completed.
- Thirty-three departed an average of 106 days after a background investigation was completed.

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-- Five had a background investigation initiated before they departed and completed after they departed. These individuals left an average of 23 days before the completion of the background investigation.

Out of the 177 who separated, 171 had temporary passes at the time of separation and had held the temporary pass for an average of 266 days prior to departure. Four individuals received temporary passes an average of 36 days after their separation, and two never received a temporary pass.

Permanent Pass

Revocation Procedure

According to a Secret Service official, the agency depends on each White House office to notify the Service if an individual is no longer employed and thus no longer needs a permanent pass. Without this notification, the Secret Service has no way of knowing who continues to need access.

White House officials stated that they maintain a check-out procedure for employees who leave Executive Office of the President employment, and unless the White House allows continued access, the employee must surrender his or her access pass upon separation. The White House provided us with a document supporting these procedures. According to a White House official, this process is checked by regular reviews of attrition and accession lists of White House pass holders. The official also said that White House pass holder lists are frequently updated.

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DRAFTACCESS TO CLASSIFIED
SECURITY INFORMATION

The White House allows employees with permanent White House passes and a need-to-know to have access to classified information up to top secret. Generally, executive branch agencies are required by executive order to follow uniform governmentwide procedures and apply specific criteria when granting security clearances to individuals. Executive branch agencies grant security clearances under Executive Order 10450, as amended, and at the time of our review handled classified data under Executive Order 12356, which was revoked and replaced by Executive Order 12958 on April 17, 1995¹⁸. According to White House officials, the White House Office, the Office of the Vice President, and the Office of Policy Development are not subject to the requirements of Executive Order 10450 but nevertheless use the same procedures and criteria to issue the passes that give employees access to classified information on a need-to-know basis.

Through December 1994, 381 of 638 records in the database indicate that the person had been authorized access to classified information. These included 359 staff assigned to the White House Office, the Office of the Vice President, and the Office of Policy Development who have access to classified information on a need-to-know basis by holding a permanent White House pass. An additional 22 records indicate staff assigned to the Office of Administration and the Office of National Drug Control Policy that have security

¹⁸These orders establish uniform requirements for personnel security programs in the federal government. A security clearance is a certification that an individual who requires access to information classified at a certain level has been found security eligible and may be permitted access to classified information.

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clearances granted under governmentwide procedures. The first of the permanent White House passes was not approved until September 30, 1993, and the first of the 22 Office of Administration and Office of National Drug Control Policy security clearances was not granted until June 22, 1993.¹⁹ We requested data on how the offices conducted business during these 8- and 5-month periods before security clearances were granted. White House officials stated that interim clearances were provided to about two dozen senior staff during this time. The officials further stated that for reasons of confidentiality, data on the specific cases was not provided to us. They also said that the overwhelming majority of the classified work done in the White House is done by staff of the National Security Council, which is not one of the offices represented in the data we analyzed.

Given that future administrations may face similar circumstances during the first few months in office, consideration should be given to strengthening controls in this area.

¹⁹In addition, one individual had a clearance at the time entered on duty.

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AGENCY COMMENTS AND OUR EVALUATION

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Talking Points
GAO Audit of EOP Pass Issuance Procedures

September 29, 1995

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NOTE: We have not yet been given nor have we had the opportunity to review a final draft of the report. This information is based on our review of a near-final draft of the report and our own internal analysis.

The report could go to the requestor as early as next week. He has up to 30 days to release the report as he chooses. If it has not been released within 30 days of the delivery date, the GAO releases the report for him. We will keep you informed of the probable release date.

- GAO identified no current "problems" with the process for issuing White House and Executive Office of the President passes.
- While their report did find that passes were issued slowly in 1993, their report recognizes that the White House has achieved dramatic improvements since then.
 - The GAO's report shows that, on average, passes were issued significantly more quickly in 1994 than in 1993.
 - On average, if an employee started in 1993, it took 346 days (or 356 days, depending on the method of analysis used) for his or her pass to be approved. For employees starting in 1994, the average was 98 days (or 129 days).
 - It is important to remember that of these averages, only certain intervals involve work done by the EOP. In fact, the largest length of time associated with the pass issuance process involves waiting for the FBI to complete background investigations (investigations averaged approximately 60 days during the period of study). The EOP has no control over how long it takes the FBI to complete investigations.
 - The report only tracks 1994 employees who started before September 16, 1994. If employees who started after this date were included in the analysis, the average would be even smaller.
 - Currently, most passes are issued within 100 days.

Chris,
Another draft.
Mike

- As their report mentions, several factors led to the improvements:
 - 1) operational and administrative inefficiencies were corrected
 - 2) there were fewer employees starting work in 1994
 - 3) the Chief of Staff placed emphasis on the process and established standards
 - 4) the White House began using computers to track the process and,
 - 5) staff and officials became more experienced with the process.
- In 1994 and 1995, our average time for pass issuance is comparable with the record in other agencies, such as the Department of State.
- Public Law 103-329 requires that individuals be placed on Leave Without Pay status if they have not been recommended for issuance of an appropriate access pass within 180 days. The GAO found that we were in compliance with Congressionally imposed standards.
 - Although the report will identify two individuals who took longer than the 180 days prescribed by law (P.L. 103-329) for their pass to be issued, both cases are easily explained as follows:
 - one employee was nominated to his/her position by the President. While the nomination was pending, he/she did not want to receive any of the "trappings of the office," which included issuance of a badge. Furthermore, significant background checks, including a full scale FBI background investigation, were favorably completed before this person's nomination was ever submitted to the Senate.
 - one career employee's background investigation identified some issues that needed further review. As soon as the FBI completed its investigation and submitted its report (which occurred after more than 180 days had passed), procedures were initiated to put the employee on leave without pay as prescribed by law (P.L. 103-329). Because the individual was a career employee with civil service rights, he/she was entitled by law to 30 days notice before being placed on Leave Without Pay status. Before the mandatory 30 day notice period expired, the issues identified in the background investigation had been resolved by the employee. Accordingly, we were not in violation of either the letter or the spirit of the law.
 - We continue to be in compliance with this law.
 - We also continue to comply with the law stating that staff have 30 days to complete security paperwork before they should be put on leave without pay.
- During this Administration, the United States Secret Service has never been directed to issue a pass of which they did not approve.

- The GAO's report contains no finding that pass issuance was delayed because of "issues" in individuals' backgrounds.
- The GAO's report mentions no problems with the EOP's drug testing program.
 - In 1993, it took an average of 24 days (or 29 days, depending on the method of analysis used) for an employee to be drug tested, whereas, on average, in 1994 employees were drug tested an average of 49 days (or 12 days) before they started working at the EOP.
 - Even in 1993, the short delays between start date and testing are entirely consistent with the EOP's Drug Free Workplace Plan (which was developed by the Bush Administration and approved by the Department of Justice in 1987???). The plan expressly provides for a "transition period" at the start of an administration during which employees are allowed to conditionally start work pending completion of a drug test.
 - It is currently the policy of the White House Office for an employee to complete his/her drug test at least one day prior to their first day of work.
 - If a person fails their applicant test, they are no longer a candidate for work at the EOP.
 - All 572 non-contractor staff members in the database completed drug tests.
 - Because it is the responsibility of each contractor's employer to conduct their drug tests, we do not have access to, nor were we able to provide information on contractor drug testing to the GAO.
- By a directive issued by the Chief of Staff in March, 1994, all employees are required to submit the appropriate security paperwork within 30 days of their first day of work. The White House is now in full compliance with this requirement..
 - Although it took longer for security paperwork to be completed in 1993, the problem has now been corrected and the average is well below 30 days.
 - In fact, many recent hires have been filling out their paperwork even before arriving for their first day of work.
 - The average number of days it took employees to complete their SF-86 after their start date decreased from 1993 to 1994.
 - Employees starting in 1993 completed their forms on average, 100 days after (or 107 days after, depending on the method of analysis used) they started work. In 1994, employees had completed their SF-86 an average of 52 days before (or 3 days after) they started work.

- 98 percent of non-contractor employees in the study (559 of 570) were in strict compliance with the Chief of Staff's memorandum on SF-86 completion.
- The report identifies 12 non-contractor staff members who were in technical violation of the March 14, 1994 McLarty memorandum on completion of SF-86 forms. In fact, virtually all of these had turned in their paperwork within 6 weeks. In every instance, the paperwork was submitted as soon as the issue was identified.
- No violations of the 30-day rule (which actually became a legal requirement in October, 1994) have occurred since August, 1994.
- The report shows that once a background investigation was completed, the number of days it took the White House Counsel's Office to forward the completed background investigation to the USSS decreased from 1993 to 1994.
 - Once an investigation was returned from the FBI in 1993, it took, on average, 174 days (or 175 days, depending on the method of analysis used) for the White House Counsel's Office to complete the other checks necessary and to forward favorable information to the USSS. In 1994, this average shrunk to 46 days (or 48 days).
 - It is important to remember that although the FBI completes their investigation on a particular date, often the White House Counsel's Office must wait for other pieces of information to be returned to them from other agencies concurrently conducting investigations (i.e., the IRS' review of tax payment).
- The report found that it took the FBI longer on average, to complete investigations in 1994 than it did in 1993.
 - In 1993, the FBI completed their investigations in 56 days. In 1994, this average grew to 70 days (or 71 days, depending on the method of analysis used).
- Despite experiencing an increase during the most time consuming interval of the process (the FBI investigation), the EOP was still able to make significant improvements in the total number of days it took to issue passes. We have improved the intervals over which we have control; the length of the FBI investigation is one area that is outside of our control.
- Although the GAO's report identifies some areas in which they feel opportunities exist to "strengthen controls," as their report states, they actually identified no specific "problems" with the current process. Furthermore, the majority of the controls that they recommend strengthening are items that only need to be considered at the beginning of future administrations.