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MEMORANDUM FOR DISTRIBUTION C
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FROM: SAF/MR
1660 Air Force Pentagon
Washington, DC 20330-1040

SUBJECT: Department of the Air Force Guidance Memorandum (DAFGM) *Suitability/Fitness Adjudication for Civilian Employees*

By order of the Secretary of the Air Force, this Department of the Air Force Guidance Memorandum (DAFGM) precedes a to-be published Manpower, Personnel and Services publication. This DAFGM implements guidance on suitability/fitness for civilian employees as defined in Title 5, United States Code, Section 2105, *Employee*, from Air Force Policy Directive 36-1, *Appropriated Fund Civilian Management and Administration*, and Air Force Policy Directive 34-3, *Nonappropriated Funds Personnel Management and Administration*. This DAFGM supplements guidance in the Department of Defense Instruction (DoDI) 1400.25, Volume 731, *DoD Civilian Personnel Management System: Suitability and Fitness Adjudication for Civilian Employees* and DoDI 1400.25, Volume 1403, *DoD Civilian Personnel Management System: Nonappropriated Fund (NAF) Employment*. Compliance with this memorandum is mandatory in accordance with Executive Order 13764, *Amending the Civil Service Rules*, Executive Order 13488, and Executive Order 13467 *To Modernize the Executive Branch-Wide Governance Structure and Processes for Security Clearance, Suitability and Fitness for Employment, and Credentialing, and Related Matters*. The provisions of this Guidance Memorandum apply to the Department of the Air Force (DAF) civilian employees, to include NAF employees, except for Air National Guard Technicians administered under Title 32 of the United States Code and non-U.S. citizen personnel employed at DAF installations outside the United States. In collaboration with the Chief of Air Force Reserve (AF/RE), the Director of the Air National Guard (NGB/CF), the Deputy Chief of Space Operations for Human Capital (SF/S1), the Deputy Chief of Staff for Manpower, Personnel, and Services (AF/A1) develops personnel policy for Suitability/Fitness Adjudication for Civilian Employees.

This DAF publication may be supplemented at any level; all Major Command (MAJCOM)/Combatant Command (CCMD)/Field Command (FLDCOM)-level supplements must be approved by the Human Resource Management Strategic Board prior to certification and approval. To the extent its directions are inconsistent with other DAF publications, the

information herein prevails, in accordance with Department of the Air Force Manual (DAFMAN) 90-161, *Publishing Processes and Procedures*.

The authorities to waive wing/unit level requirements in this publication are identified with a Tier (“T-0, T-1, T-2, T-3”) number following the compliance statement. See DAFMAN 90-161, Table A10.1, for a description of the authorities associated with the Tier numbers. Submit requests for waivers via DAF Form 679, *Department of the Air Force Publication Compliance Item Waiver Request/Approval*, or equivalent, through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the requestor’s commander for non-tiered compliance items.

There are no restrictions on the release of this publication. Ensure all records generated as a result of processes prescribed in this publication adhere to Air Force Instruction (AFI) 33-322, *Records Management and Information Governance Program*, and are disposed in accordance with the Air Force Records Disposition Schedule, which is located in the Air Force Records Information Management System.

Operational questions may be directed to the AFPC/DP3CR, Civilian Recruiting Branch (afpc.dp3cr.CivilianRecruiting@us.af.mil) for appropriated fund (APF) employees and AFSVC/VIH (afsva.vihr.workflow@us.af.mil) for NAF employees. Refer recommended changes and questions about this publication to the Office of Primary Responsibility using DAF Form 847, *Recommendation for Change of Publication*, routed through the appropriate chain of command.

This memorandum becomes void after one year has elapsed from the date of this Memorandum, or upon publishing of a new publication permanently establishing this guidance, whichever is earlier.

The point of contact for this publication is AF/A1CT at af.a1ct.workflow@us.af.mil.

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Attachment:
Suitability/Fitness Adjudication for Civilian Employees

SUITABILITY/FITNESS ADJUDICATION FOR CIVILIAN EMPLOYEES

1. Overview.

1.1. Executive order (E.O.) 13764, *Amending the Civil Service Rules, Executive Order 13488, and Executive Order 13467 To Modernize the Executive Branch-Wide Governance Structure and Processes for Security Clearance, Suitability and Fitness for Employment, and Credentialing, and Related Matters*, re-delegated the Office of Personnel Management (OPM) with the responsibility of developing and implementing policies and procedures for suitability/fitness investigations and adjudications. This responsibility includes handling eligibility for access to federal information systems and facilities. OPM retains its authority to conduct suitability/fitness investigations, adjudications and debarments¹, but has delegated to heads of agencies, with some exceptions in Title 5, *Administrative Personnel*, Code of Federal Regulations (CFR), Part 731, *Suitability*, and further delegated by the Department of Defense (DoD) to the DoD Components in the Department of Defense Instruction (DoDI) 1400.25, Volume 731, *DoD Civilian Personnel Management System: Suitability and Fitness Adjudication for Civilian Employees*, and DoDI 1400.25, Volume 1403, *DoD Civilian Personnel Management System: Nonappropriated Fund (NAF) Employment*, the duty of suitability/fitness adjudication to mandate that all applicants, appointees, and employees are suitable for employment or fit for assignment to work for or on behalf of the Federal government. **(T-0)** It is important to ensure individuals hired are loyal, trustworthy, and of good character.

1.2. The terms suitability and fitness are often used interchangeably within the context of background screening or adjudication, with the applicability of the term dependent upon the organization or population under discussion. For the purposes of this guidance memorandum, the distinction lies not in the definition, but the populations covered. Suitability and fitness adjudications are conducted using identical criteria, which is found in 5 CFR 731.202.²

1.3. The authority for suitability adjudications is OPM and 5 CFR Part 731. The authority for fitness adjudications is in accordance with DoDI 1400.25, Volume 731 (APF employee) and DoDI 1400.25, Volume 1403 (NAF employee).

2. Purpose. In accordance with the authority in DoDI 1400.25, Volumes 731 and 1403, this guidance memorandum establishes and implements policy, establishes uniform Department of the Air Force (DAF) procedures, provides guidelines, delegates authority, and assigns responsibilities regarding suitability/fitness for civilian DAF positions.

¹OPM debarments are limited to covered positions.

²For clarification, suitability/fitness and national security requirements are not the same. The criteria for both is different. The designation of national security positions falls under 5 CFR Part 1400.

3. Applicability.

3.1. Suitability refers to a person's identifiable character traits and/or conduct that may have an impact on the integrity or efficiency of the service and is applicable to DAF positions in the competitive service, positions in the excepted service where the incumbent can be noncompetitively converted to the competitive service, and career appointments to positions in the Senior Executive Service (SES). These positions are identified as covered positions.

3.2. Fitness refers to a person's level of character and conduct determined necessary for an individual to perform work for, or on behalf of, a Federal agency as an employee and is applicable to DAF positions in the excepted service, non-career SES positions, and NAF positions. These positions are identified as non-covered positions.

4. Guidance. In addition to the policy set forth by DoDI 1400.25, Volumes 731 and 1403, it is DAF guidance that the procedures relating to suitability/fitness for employment, physical access to controlled facilities or information, and access to information systems will provide fair and impartial treatment of those upon whom the DAF relies on to conduct its business.

4.1. Pre-screening and an interim favorable determination of a suitability or fitness examination is the prerequisite for receiving an initial appointment, obtaining a common access card (CAC), being granted physical access to DAF controlled facilities or information, and access to information systems. In accordance with guidance in the DoDI 5200.46, *DoD Investigative and Adjudicative Guidance for Issuing the Common Access Card (CAC)*, an interim CAC may be issued based on a favorable National Agency Check or a Federal Bureau of Investigation (FBI) National Criminal History Check (fingerprint check) adjudicated by appropriate approved automated procedures or by a trained human resources (HR) specialist AND successful submission to the investigative service provider (ISP) of an investigation equal to or greater in scope than a Tier 1. **(T-0) Note:** Successful submission means the investigation has been released to the ISP and the investigation has been scheduled.

4.2. To maintain/continue employment, the completion and final favorable adjudication of the suitability or fitness investigation is required. **(T-0)**

4.3. The completion and unfavorable adjudication of the suitability or fitness investigation may require necessary action to terminate employment or any other appropriate action(s).

5. Delegation. MAJCOMs/FLDCOMs/Direct Reporting Units (DRUs)/Field Operating Agencies (FOAs)/A1s/S1s³ are delegated the authority to further delegate or assign adjudicative suitability/fitness duties to include taking a suitability action to the lowest practical level, in writing, to HR Civilian Personnel Flight (CPF) personnel at the base level, which includes delegating the authority to make an official determination based on the requirements of the position.

³ For the Headquarters Air Force (HAF) positions, SAF/AAR acts as the servicing 'MAJCOM' and is delegated the authority to further delegate or assign adjudicative suitability/fitness duties to include taking a suitability action, in writing, to SAF/AARC.

6. Responsibilities.

6.1. Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MR). Serves as an agent of the Secretary and provides guidance, direction, and oversight for civilian employee matters pertaining to the Suitability and Fitness Program.⁴

6.2. Deputy Chief of Staff of the Air Force, Manpower, Personnel and Services (AF/A1) and Deputy Chief of Space Operations for Human Capital (SF/S1). Develops, coordinates, and executes civilian personnel policy and essential civilian procedural guidance for the management of the Suitability and Fitness Program.

6.3. Directorates of Civilian Force Management (AF/A1C) and Civilian Policy & Management (SF/S1C). Direct development of the Suitability and Fitness Program policy for civilians to ensure compliance with this Guidance Memorandum and consistency across the DAF.

6.4. HQ Air Force Suitability Action Officer (AF/A1CT). In coordination with SF/S1C, develops policy, provides guidance, and has overall responsibility for the Suitability and Fitness Program as outlined in DoDI 1400.25, Volume 731. Develops or revises directives, guidance, instructions and other program information based on laws, regulations and DoD instructions, as required.

6.5. HQ Air Force NAF Personnel Policy Action Officer (AF/A1CP). In coordination with SF/S1C, provides guidance and has overall responsibility for NAF Personnel as outlined in the DoDI 1400.25, Volumes 731 and 1403. Develops or revises directives, guidance, instructions and other NAF program information based on laws, regulations and DoD instructions, as required.

6.6. Directorate of Services (AF/A1S). Oversees strategy and policy development, resource advocacy and allocation methodology to support mission readiness for DAF Child and Youth Programs (CYP).

6.7. Directorate of Community (AFSVC/VC). Provides oversight of the NAF CYP employee policies and procedures, along with other CYP participants not defined as employees under the NAF program. APF CYP employees are not included under this oversight.

6.8. Air Force Personnel Center (AFPC/DP3CR) and Air Force Services Center (AFSVC/VIH). Provides general support to the MAJCOM, CCMD, FLDCOM, NGB, and Air Force Reserve suitability/fitness adjudicators with questions regarding policy/procedures, suitability/fitness determinations, program objectives and responsibilities, and internal controls for their respective categories of employees, i.e., APF vs. NAF.

6.8.1. AFPC/DP3CR has authority for all APF employee procedural and reporting guidance.
(T-1)

⁴ For contractor and volunteer responsibilities, please refer to the SAF/MR memo, *Air Force Interim Guidance for Homeland Security Presidential Directive-12, Suitability and Fitness Adjudications*, dated 26 November 2019. This memo is the authority over contractor and volunteer fitness until it is superseded by other guidance.

6.8.2. AFSVC/VIH has authority for all NAF employees and other CYP participants not defined as employee under AFSVC/VC procedural and reporting guidance. **(T-1)** AFSVC/VIH also has the authority to track all dates associated with background investigations for all DAF CYP positions to include onboarded APF employees. **(T-1)**

6.9. Air Force Services Center (AFSVC), Centralized Background Investigation Cell (CBIC). Assists processing required child care checks for all paid and nonpaid NAF employees, family child care applicants, providers and household members (to include anyone visiting for more than 30 days), contract workers (CYP instructors, custodians working near children), respite care providers, home community care providers, and specified volunteers 12 years and older working in CYP programs and may be expanded to additional adults who work with children and youth under the age of 18. CBIC will also assist in the processing of initial background investigation checks for additional NAF employees determined eligible by AFSVC/VIH.

6.10. MAJCOM/FLDCOM. Provides general support to the CPF suitability/fitness adjudicators with questions regarding policy/procedures, suitability/fitness determinations, programs objectives and responsibility, and internal controls. Provides system access to CPF suitability/fitness point of contacts. **(T-1)**

6.11. Civilian Personnel Section (CPS)/Human Resource Office (HRO).

6.11.1. Ensures there is at least one trained suitability adjudicator to make interim and final suitability/fitness adjudicative determinations. **(T-1)**

6.11.2. Grants reciprocal recognition to a prior favorable suitability or fitness determination based on an equivalent or higher investigation, unless a new investigation is required. **(T-0)**

6.11.3. Initiates, reviews, releases and tracks Tier 1, Tier 2, Tier 2 R, Tier 4, and Tier 4R investigations of selectees to completion. **(T-1)** These investigations must be initiated using the CPS/HRO issued Submitting Office Number (SON)/Security Office Identifier (SOI). **(T-1)** This includes cases returned/transferred to the initiating office by the Defense Counterintelligence and Security Agency (DCSA) Consolidated Adjudication Services (CAS) for a final suitability/fitness adjudication determination. The final determination must be made and properly coded within the Defense Information System for Security (DISS), or successor system, within 90 days of the case being transferred. **(T-1)**

6.11.3.1. Ensures investigative forms are complete and accurate prior to the release to the ISP. The investigative forms must be released to the ISP within five days from the certification date (date of the selectee's signature on the investigative form). **(T-1)**

6.11.3.2. Ensures owning relationship with individual is created in the DISS, or successor system, for interim (and final, if applicable) suitability/fitness determinations to be properly coded. **(T-1)**

6.11.3.3. Upon separation, end date the owning relationship with the individual to identify no further affiliation. **(T-1)**

6.11.4. Initiates, reviews and ensures Tier 3 and Tier 5 investigative forms of selectees are complete and accurate prior to the release to the Information Protection Office (IPO). Investigative forms must be released to the IPO within five days from the certification date (date of the selectee's signature on the investigative form). **(T-1)** These investigations must be initiated using the appropriate IPO controlled SON/SOI. **(T-1)** (A waiver approval of this requirement requires SAF/AA approval).

6.11.5. In accordance with AFI 34-144, *Child and Youth Programs*, initiates and tracks required investigations/reverifications on civilian personnel positions within CYPs requiring additional child care checks. **(T-1)** The reverification is required every five years. **(T-1)** For all NAF child care employees and child care program participants under the AFSVC/VC direction, investigations/reverifications will be tracked through the CBIC. **(T-1)**

6.11.6. In accordance with DoDI 6495.03, *Defense Sexual Assault Advocate Certification Program (D-SAACP)*, CPS ensures the required investigation and state criminal history record checks are accomplished for the APF personnel whose positions are identified under DoDI 6495.03, para. 3.1. **(T-0)** The investigative checks for the recertification of the D-SAACP are required every two years for individuals not enrolled in continuous evaluation. **(T-0)**

6.12. Suitability/Fitness Adjudicator.

6.12.1. Maintains familiarity with the laws, regulations, standards, and criteria governing suitability adjudication by completing mandatory suitability adjudication training. **(T-1)**

6.12.2. Maintains a fair, impartial, and objective attitude toward the person and information being reviewed and adjudicated, without unlawful consideration of race, color, religion, sex (including pregnancy, gender identity and sexual orientation), national origin, disability, age (40 or older) genetic information, veteran's status, Reserve or National Guard status or prior Equal Employment Opportunity activity. **(T-0)** In making decisions or recommendations, the adjudicator may not consider the individual's political affiliation, race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, personal preferences, or beliefs. **(T-0)**

6.12.3. Obtains and maintains access to automated security/suitability systems to facilitate decisions on suitability/fitness determinations. **(T-1)**

6.12.4. Makes favorable and unfavorable suitability/fitness determinations in accordance with 5 CFR Part 731. **(T-0)**

6.13. Defense Counterintelligence and Security Agency (DCSA) Consolidated Adjudication Services (CAS).

6.13.1. Adjudicates results of investigations on national security, suitability/fitness for government employment, and eligibility for issuance of CACs.

6.13.2. On suitability/fitness investigations, returns cases to the initiating office for investigations in which a favorable determination cannot be rendered.

7. Onboarding Requirements. For all positions (Non-national Security and National Security⁵), selectee must obtain a favorable interim suitability/fitness determination **PRIOR TO** the release of a firm job offer. **(T-1)** Appropriate security/suitability systems DISS, Central Verification System (CVS) or any successor system(s)) must be used to identify if a prior investigation/determination remains valid. **(T-0)** A new suitability/fitness determination cannot be made unless a new investigation is required or no new investigation is required but the investigative record on file shows conduct that is incompatible with the core duties of the new position. **(T-0)**

7.1. Non-National Security (Tier 1, Tier 2, and Tier 4) Positions.

7.1.1. Tier 1 (low risk), Tier 2 (moderate risk), and Tier 4 (high risk) level designations are considered suitability/fitness investigations. Tier 2 and Tier 4 investigations are specifically considered public trust investigations. Public trust investigations are designated for positions that have the potential to adversely affect the integrity, efficiency, effectiveness, or delivery of public service. The position sensitivity for each of these levels is non-sensitive. Positions designated as non-sensitive do not require access to classified information.

7.1.2. Pre-Screening. An interim suitability/fitness determination consists of a favorable review of the following:

7.1.2.1. FBI fingerprint check (National Criminal History Check); **(T-0)**

7.1.2.2. The Electronic Questionnaires for Investigations Processing (e-QIP) (or successor form/system) investigative form⁶; **(T-1)**

7.1.2.3. Optional Form (OF)-306, *Declaration of Federal Employment*; **(T-0)** and

7.1.2.4. Selectee resume and other submitted documents, i.e., transcripts, DD 214, etc.; **(T-0)**

7.2. National Security (Noncritical Sensitive, Critical Sensitive, and Special Sensitive) Positions. Noncritical sensitive, critical sensitive and special sensitive positions require national security investigations (Tier 3 and Tier 5). National security investigations are designated for positions that are concerned with the protection of the United States from foreign aggression or espionage, including development of defense plans or policies, intelligence or counterintelligence activities, and related activities concerned with the preservation of the military strength of the United States, including duties that require eligibility for access to classified information in accordance with E.O. 12968, *Access to Classified Information*, as amended. In addition to a favorable

⁵ The determination of whether a position is non-national security or national security is based on the results of the Position Designation System (PDS). The PDS assesses the duties and responsibilities of a position to determine the degree of potential damage to the efficiency or integrity of the service from misconduct of an incumbent of a position. Parts 1400 and 731 of Title 5, Code of Federal Regulations establishes the risk level of that position. This assessment also determines if a position's duties and responsibilities present the potential for position incumbents to bring about a material adverse effect on the national security, and the degree of that potential effect, which establishes the sensitivity level of a position. The results of this assessment determine what level of investigation should be conducted for a position.

⁶ Investigative forms are either the Standard Form (SF) 85, *Questionnaire for Non-Sensitive Positions*, SF85P, *Questionnaire for Public Trust Positions*, and SF86, *Questionnaire for National Security Positions* (or successor form).

interim suitability/fitness determination as indicated in **paragraph 7.1.2**, selectee must possess, meet interim or final access requirements as outlined in DoDM 5200.02_DAFMAN 16-1405 (or successor policy), or be granted a pre-employment waiver for the position **PRIOR TO** the release of a firm job offer. **(T-0)** The commander⁷ (or civilian equivalent) is the sole authority to grant interim access and a pre-employment waiver. **(T-0)** These authorities cannot be delegated. **(T-0)** Appropriate security/suitability systems (DISS, CVS or any successor system(s)) must be used to identify if reciprocity is applicable. **(T-0)**

7.2.1. Temporary Access to Classified Information. Temporary access to classified information may be approved before the investigation and adjudication processes are completed during exceptional circumstances when official functions must be performed, to include meeting mission readiness requirements, pursuant to E.O. 12968, as amended.

7.2.1.1. Approvals for Temporary Access to Confidential, Secret, and “L” require: **(T-0)**

7.2.1.1.1. A favorable review of e-QIP (or successor form/system) investigation form; **(T-0)**

7.2.1.1.2. Citizenship verification; **(T-0)**

7.2.1.1.3. Expedited process within the organization to release the investigation; **(T-0)** and

7.2.1.1.4. Completion and favorable review of the FBI fingerprint check. **(T-0)**

7.2.1.2. Approval for Temporary Access to Top Secret and “Q” require: **(T-0)**

7.2.1.2.1. A favorable review of e-QIP (or successor form/system) investigation form; **(T-0)**

7.2.1.2.2. Citizenship verification; **(T-0)**

7.2.1.2.3. Expedited process within the organization to release the investigation; **(T-0)**

7.2.1.2.4. Completion and favorable review of the following:

7.2.1.2.4.1. FBI fingerprint check; **(T-0)**

7.2.1.2.4.2. FBI name check; **(T-0)** and

7.2.1.2.4.3. National Crime Information Center (NCIC) check. **(T-0)**

7.2.2. Noncritical Sensitive and Critical Sensitive Pre-employment Waivers. A waiver of pre-employment requirements may be used when such action is necessary and in national interest in accordance with 5 CFR 1400.202, *Waivers and exceptions to preappointment investigative requirements*. The waiver is filed in the individual’s electronic official personnel folder in accordance with DAFI 36-129, *Civilian Personnel Management and Administration*. **(T-1)**

⁷ Per DoDM 5200.02_DAFMAN 16-1405, commander is defined as Heads of DoD Components, Defense Agencies, DoD Field Activities, and all other entities within the DoD headed by personnel specifically assigned to command positions within organizations.

7.2.2.1. Approvals for Pre-employment Waivers for Noncritical Sensitive and Critical Sensitive Positions require:

7.2.2.1.1. A favorable review of e-QIP (or successor form/system) investigation form; **(T-0)**

7.2.2.1.2. Expedited process within the organization to release the investigation; **(T-0)** and

7.2.2.1.3. Completion and favorable review of the FBI fingerprint check. **(T-0)**

7.2.3. Special sensitive positions require an interim Secret access determination as indicated in paragraph 7.2.1.1 and the commander⁸ (or civilian equivalent) ensures the selectee will not access systems/documentation beyond the access level granted. **(T-0) Note:** A pre-employment waiver is not an option for special sensitive positions.

8. Suitability Actions.

8.1. Suitability actions as outlined in 5 CFR 731.203 can be taken by OPM or an agency. An action taken based on an unfavorable determination can consist of:

8.1.1. Cancellation of eligibility;

8.1.2. Removal;

8.1.3. Cancellation of reinstatement eligibility; or

8.1.4. Debarment.

8.1.4.1. OPM Debarments.

8.1.4.1.1. OPM has the sole authority and discretion to bar an applicant or appointee from covered positions across the entire Federal Government for not more than three years by denying examination for and appointment to covered positions.

8.1.4.1.2. OPM may take jurisdiction of cases if a government-wide debarment is appropriate. OPM will consider imposing a government-wide debarment based on the criteria in 5 CFR 731.202(b).

8.1.4.1.3. OPM debarments are recorded in CVS or subsequent system.

8.1.4.2. DAF Debarments.

⁸ Per DoDM 5200.02_DAFMAN 16-1405, commander is defined as Heads of DoD Components, Defense Agencies, DoD Field Activities, and all other entities within the DoD headed by personnel specifically assigned to command positions within organizations.

8.1.4.2.1. In accordance with 5 CFR 731.205, DAF can bar an applicant or appointee DAF-wide for up to three years by denying examination for, and appointment to, either all, or specific covered positions within the DAF. **(T-1)**

8.1.4.2.2. DAF can bar an applicant or appointee for factors cited in 5 CFR 731.202(b)(1), (2), (5), (6), and (7). All debarments must be processed in accordance with 5 CFR Part 731. **(T-0)**

8.1.4.2.3. Debarments from all positions within the DAF will be based on the nature of the position and the OPM suitability/fitness factors per 5 CFR 731.202. **(T-0)**

8.1.4.2.4. Decisions regarding the length of and positions included in a debarment must be made on an individual basis and in accordance with 5 CFR Part 731. **(T-0)**

8.1.4.2.5. All DAF debarments must be reported to OPM. **(T-0)**

8.2. Neither OPM nor an agency acting under delegated authority may take a suitability action in connection with any application for, or appointment to, a position and/or person that is not subject to an investigation. **(T-0)**

8.3. OPM may require an appointee or an employee be removed on the basis of a material, intentional false statement, deception or fraud in examination or appointment; refusal to furnish testimony as required by 5 CFR 5.4, *Information and testimony*; or a statutory or regulatory bar which prevents the person's lawful employment.

8.4. An agency can only take a suitability action on an applicant or an appointee, never an employee. For an employee, unfavorable behavior covered by 5 CFR Part 731 may also form the basis for an action under 5 CFR Part 315, *Career and Career-Conditional Employment*; Part 359, *Removal from the Senior Executive Service; Guaranteed Placement in Other Personnel Systems*; or Part 752, *Adverse Actions*.

9. Fitness Actions.

9.1. Fitness actions for DoD are governed by the *Department of Defense Suitability and Fitness Guide*, and not 5 CFR Part 731; therefore, fitness actions can be taken by a component. An action taken based on an unfavorable determination can consist of:

9.1.1. Tentative job offer rescission;

9.1.2. Non-selection;

9.1.3. Assignment to another position when the employee does not meet fitness requirement specific to a particular position (but does meet basic fitness requirements); or

9.1.4. Debarment;

9.1.4.1. DAF Debarments.⁹

9.1.4.2. DAF can bar an individual DAF-wide for up to three years by denying an individual examination for an appointment to either all or specific positions within the DAF.

9.1.4.3. DAF debarments will be in accordance with the *Department of Defense Suitability and Fitness Guide*. **(T-0)**

9.1.4.4. Debarments from all positions within the DAF will be based on the nature of the position and the OPM suitability/fitness factors per 5 CFR 731.202.¹⁰ **(T-0)**

9.1.4.5. Decisions regarding the length of and positions included in a debarment must be made on an individual basis and in accordance with 5 CFR Part 731. **(T-0)**

9.1.5. Separation as disqualification.

9.2. An agency acting under delegated authority may not take a fitness action in connection with any application for, or appointment to, a position that is not subject to an investigation. **(T-0)**

10. Appeals.

10.1. For civilians as stated in **paragraph 3.1** (suitability). An applicant or appointee to a covered position may appeal a suitability action as defined in 5 CFR 731.501 to the Merit Systems Protection Board (MSPB). **Note:** Non-selection for a position is not a suitability action.

10.2. For civilians as stated in **paragraph 3.2** (fitness).

10.2.1. Fitness determinations cannot be appealed to the MSPB. **(T-0)** An APF appointee or employee may appeal a fitness action to AF/A1C up through the appropriate fitness determination command chain, i.e., CPS/HRO, MAJCOM/CCMD/FLDCOM, AFPC/DP3. Non-covered and non-bargaining unit employees may use the administrative grievance system in accordance with DoDI1400.25V771_DAFI36-706, *DoD Civilian Personnel Management System: Administrative Grievance System*. Bargaining unit employees must use the collective bargaining agreement negotiated grievance process when applicable. **(T-0)**

10.2.2. NAF employees do not have MSPB appeal rights. A NAF applicant, appointee or employee may appeal unfavorable fitness adjudications in accordance with the nonappropriated administrative or negotiated grievance process. Child care program participants not defined as employees under AFSVC/VC do not have appeal/grievance rights under the nonappropriated administrative or negotiated grievance process. **(T-0)**

⁹ OPM does not have the authority for debarments of non-covered positions. *The Department of Defense Suitability and Fitness Guide* gives components the authority for debarments for non-covered positions.

¹⁰ The factors of 5 CFR 731.202 are still used even though it is a non-covered position.

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

- 5 USC § 2105, *Employee*
- 5 USC § 2302, *Prohibited Personnel Practices*
- 5 USC, Chapter 73, *Suitability, Security, and Conduct*
- 38 USC § 4311, *Discrimination against persons who serve in the uniformed services and acts of reprisal prohibited*
- EO 12968, *Access to Classified Information*
- EO 13764, *Amending the Civil Service Rules, Executive Order 13488, and Executive Order 13467 To Modernize the Executive Branch-Wide Governance Structure and Processes for Security Clearance, Suitability and Fitness for Employment, and Credentialing, and Related Matters*
- 5 CFR Part 315, *Career and Career-Conditional Employment*
- 5 CFR Part 359, *Removal from the Senior Executive Service; Guaranteed Placement in Other Personnel Systems*
- 5 CFR Part 731, *Suitability*
- 5 CFR Part 736, *Personnel Investigations*
- 5 CFR Part 752, *Adverse Actions*
- 5 CFR Part 1201, *Practices and Procedures*
- 5 CFR Part 1400, *Designation of National Security Positions*
- 5 CFR 1400.202, *Waivers and exceptions to preappointment investigative requirements*
- DoDI 1400.25, Volume 731, *DoD Civilian Personnel Management System: Suitability and Fitness Adjudication for Civilian Employees*, 24 August 2012
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Prescribed Forms

None

Adopted Forms

DAF Form 679, *Department of the Air Force Publication Compliance Item Waiver Request/Approval*

DAF Form 847, *Recommendation for Change of Publication*

OF306, *Declaration of Federal Employment*

SF85, *Questionnaire for Non-Sensitive Position*

SF85P, *Questionnaire for Public Trust Positions*

SF86, *Questionnaire for National Security Positions*

Abbreviations and Acronyms

AFI—Air Force Instruction

AFPD—Air Force Policy Directive

APF—Appropriated Fund

CAC—Common Access Card

CAS—Consolidated Adjudication Services

CCMD—Combatant Command

CFR—Code of Federal Regulations

CPF—Civilian Personnel Flight

CPS—Civilian Personnel Section

CVS—Central Verification System

CYP—Child and Youth Programs

D-SAACP—Defense Sexual Assault Advocate Certification Program

DAF—Department of the Air Force

DAFGM—Department of the Air Force Guidance Memorandum

DAFI—Department of the Air Force Instruction

DAFMAN—Department of the Air Force Manual

DCSA—Defense Counterintelligence and Security Agency

DISS—Defense Information System for Security

DoD—Department of Defense

DoDI—Department of Defense Instruction

DoDM—Department of Defense Manual

DRU—Direct Reporting Unit

EO—Executive Order

e-QIP—Electronic Questionnaires for Investigations Processing

FBI—Federal Bureau of Investigation

FLDCOM—Field Command

FOA—Field Operating Agency
HAF—Headquarters Air Force
HR—Human Resources
HRO—Human Resource Office
IPO—Information Protection Office
MAJCOM—Major Command
MSPB—Merit Systems Protection Board
NAF—Nonappropriated Fund
NCIC—National Crime Information Center
NGB—National Guard Bureau
OF—Optional Form
OPM—Office of Personnel Management
SES—Senior Executive Service
SOI—Security Office Identifier
SON—Submitting Office Number
USC—United States Code

Terms

Applicant—a person who is being considered or has been considered for employment
Appointee—a person who has entered on duty and is in the first year of a subject-to-investigation appointment
Employee—a person who has completed the first year of a subject-to-investigation appointment
Selectee—a person chosen for a position