

Issue 16

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Personnel & Document Security Division

Diploma Mills are Booming

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OPM-FISD Adjudications Oversight Team is attempting to identify individuals who claimed education with diploma mills and affiliated schools.

A U.S. Department of Justice task force has identified an international diploma mill operation in Spokane, Washington that includes St. Regis University, James Monroe University, and Robertstown University. Over 70 other schools are suspected of being diploma mills (see page 7 for list) because of their affiliation with St. Regis University. Any education or degrees claimed from any of these institutions should be considered a serious honesty issue. Federal agents raided the operation last year, confiscating a million records that culminated in a "buyer's list" totaling 6,000 people.

At least 135 federal employees, including a White House staff member, a Senior State Department employee in Kuwait, a Department of Justice employee in Spokane, and employees from the National Security Agency and Health and Human Services bought bogus online college degrees from diploma mills for promotions or pay raises. Their names will be released during the course of the trial, expected to begin in October 2007.

"Red Flags" that may signal a bogus educational degree include degrees obtained in a short period of time, out of sequence degrees, and degrees

obtained from schools in locations different from the employees job or home. These schools set up their own verification offices to verify the bogus degrees, such as the Official Transcript Verification Center.

Watch for "No Record" results for education (EDUC) checks in closed background investigations. If you have a case involving one of these suspected diploma mills, contact Mary Kay Rozzi or Jessica Wilshire on the OPM Adjudications Oversight Team at (724) 794-5612.

The U.S. Department of Education has recently published the "positive list" of schools that are accredited by accrediting agencies recognized by the Secretary of Education. The list can be found at <http://ope.ed.gov/accreditation>.



Espionage Threats

On January 11, 2007, the U.S. government reported mysterious coins were found planted on U.S. contractors with national security clearances on at least three separate occasions between October 2005 and January 2006 as the contractors traveled through Canada. Intelligence and technology experts said such transmitters, if they exist, could be used to surreptitiously track the movements of people carrying the spy coins. The Canadian Security Intelligence Service said it knew nothing about the coins. Reversing itself, the Defense Department said on January 18, 2007 they never could substantiate its own published claims about the mysterious coins. The report (<http://www.fas.org/irp/threat/2006trends.pdf>) was filled with other espionage warnings. It described unrelated hacker attacks, eavesdropping with miniature pen recorders and the case of a female foreign spy who seduced her American boyfriend to steal his computer passwords.

This photo, released by the Central Intelligence Agency, shows a hollow container, fashioned to look like an Eisenhower silver dollar, which is still used to hide and send messages, or film, without being detected. It is similar to the Canadian coin that was found on some U.S. contractors. Because it resembles ordinary pocket change, it is virtually undetectable as a concealment device.



E-QIP & FORMS TRAINING

Specialist's Arviet Thorpe and Anthony Balbosa presented hands-on e-QIP and investigative forms training on December 19, 2006 at USDA headquarters. Attendees included personnel security and human resources staff from NRCS, RD, OCFO, FSA, and FAS.

This training is offered quarterly and it enhances agencies knowledge of processing background investigation forms (Standard Form 86, 85P, and 85) via e-QIP. The next training session is scheduled for April 3, 2007. If you would like to attend, please contact Arviet Thorpe at 202/720-4390 to reserve a seat. Seating is limited.



Financial Considerations: Tax Time!

It's that time again! You have until April 16, 2007 to file individual tax returns or file for an extension.

Executive Order 12674 of April 12, 1989 (as modified by E.O. 12731) states "Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as Federal, State, or local taxes that are imposed by law."

Guideline F, "Financial Considerations", of the Adjudicative Guidelines for Determining Eligibility for Access to Classified Information states, "Failure or inability to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or

unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness, and ability to protect classified information."

Conditions that could raise a security concern and may be disqualifying include failure to file annual Federal, state, or local income tax returns as required or the fraudulent filing of the same.

Federal employees are reminded of their responsibility to satisfy all just financial obligations. If you need assistance in handling your finances, the Employee Assistance Program (EAP) can be contacted at 1-800-222-0364 or you can find a list of accredited credit counseling businesses in your area to assist you at http://www.usdoj.gov/ust/eo/bapcpa/ccde/cc_approved.htm.



RECIPROCITY

The concept of reciprocity is intended to make the transfer of investigations and clearances between agencies more fluid. If your employee has a current investigation with another agency that meets the standards for their position designation at USDA, you do not need to request a new investigation or submit a new questionnaire via e-QIP (in most cases).

Simply complete the "Request for Personnel Security Services" form AD-1187 and the "Justification" form AD-1188 (if a security clearance is required). Check the 'Transfer' box on form AD-1187 and put any known details about the existing investigation (agency, type of investigation, closing BI date) in the 'Remarks' field. If SCI is needed, the SF-86 must have been completed/signed within 2 years per CIA requirements. If the forms were not signed within that timeframe or the deadline is approaching, a new SF-86 must be submitted in hardcopy or via e-QIP.

This procedure will be followed unless the clearance was granted on an interim or temporary basis, the investigation is overdue, or the receiving agency is aware of substantial information that may conflict with meeting the standards of E.O. 12968.

PDSO will verify the investigation (must have been favorably adjudicated) and/or the security clearance by querying OPM's Clearance Verification System (CVS), the Department of Defense's Joint Personnel Adjudication System (JPAS), or the Intelligence Community's Scattered Castles database. If the record is incomplete, an "Inter-Agency Clearance Verification Request" form will be faxed to the appropriate agency.

top 5

Survey of 197 large corporations in September 2006 by Harris Interactive revealed the top 5 crisis situations that worry top executives are...

1. Data Breach
2. Terrorism
3. Corporate Malfeasance
4. Workplace Violence
5. Industrial Accidents



74% of the respondents have crisis management plans in place and 40% of those have already used a portion of those plans.

ARE FOREIGN GOVERNMENTS COLLECTING INFORMATION AT USDA?



The Defense Security Service recently published the 2006 Technology Collection Trends in the U.S. Defense Industry. The report reveals trends extracted from 971, FY 05 Suspicious Contact Reports. The targeted technology may be different for USDA; however, the methods of operation (MO) would be similar.

Information Systems are the #1 target reported. USDA is no different from other federal agencies in which we rely on the integrity of our information systems to protect our emails and documents. The bottom line is "our information systems show a steady increase in attempted attacks and information seeking." USDA employees need to be vigilant in eliminating business sensitive and privacy act information from their electronic correspondence.

The top 5 MO for techniques or tradecraft used to collect intelligence or information were requesting information, acquiring controlled technology, soliciting marketing services, exploiting relationships, and suspicious internet activity.

Evidence at USDA reveals 4 of the top 5 MOs have and are being used! The majority of the collection is being done by foreign government sponsored and affiliated entities.

These include research institutes, laboratories, government funded universities, and contractors representing USDA. What do they want? Anything they can use to advance their program without an outlay of resources! Have you received a phone call or email from a foreign national requesting a copy of a paper you co-authored, or the latest test results on your project? If so, you most likely have been a target. As they say, flattery can get you what you want! Has a foreign national who complimented you on your scientific projects and then inquired about getting copies of reports or meeting with you approached you at a symposium or conference?

So, you have answered yes to one of the above scenarios and feel you are currently being targeted or have been targeted, what do you do? The Information Security Staff is now collecting this information to assist in establishing a training program to better prepare USDA mission areas and offices. If you would like to report a suspicious activity please contact Diane Dixon, 202-260-0106 or Karen Maguire 202-720-5712. To see the entire report go to: <http://www.fas.org/irp/threat/2006trends.pdf> .

TECHNOLOGY CHALLENGES

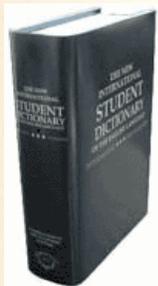
PARANOID – MAYBE NOT! HERE ARE SOME OF TODAY’S SPYING EQUIPMENT THAT IS AFFORDABLE AND AVAILABLE FOR PURCHASE OVER THE INTERNET



An Air Purifier modified to create an all in one covert video recorder in a simple to operate ultra recording machine. A quality CCD camera is concealed within the air purifier's front and the back contains a cleverly installed SD video recorder.



To videotape your subject or room, simply attach the included wireless receiver into your VCR and set to record from the external input, it is simply that easy. Range is about 150 feet. In other words, this unit will function in 99.9 percent of all homes or offices. The Wall Clock is fully functional.



This Book is equipped with a 2.4 gigahertz wireless camera and sender. A matching 2.4 gigahertz receiver is included. The addition of the wireless sender certainly adds peace of mind and ease of operation. This unit uses our latest 2.4 gigahertz transmission system. To operate, simply plug the Book into any standard wall outlet. We've already integrated the camera and wireless sender into the Book.



This service will allow you to record your cellular, home or business phones and requires no additional equipment. Record both sides of your cellular or fixed phone line conversations. You can keep a record of those important conference calls, sales orders, and other valuable communications for later reference.

RECENT COURT CASES CONCERNING PERSONNEL SECURITY DECISIONS

LACK OF CANDOR

SANTANA V. DEPARTMENT OF HOMELAND SECURITY, U.S.C.A.F.C. NO. 05-3159, 4/6/06

Mr. Santana, a Senior Auditor, with the Department of Homeland Security, was removed from duty on charges of (1) failure to report an arrest, (2) failure to report criminal charges, (3) failure to provide complete information during a background investigation, and (4) failure to provide complete information in an Internal Affairs investigation.

The agency's Conduct and Employee Responsibilities policy requires its employees to report any arrest, detention, or formal charge of law violation. The agency removal action stemmed from several arrests and/or convictions of Mr. Santana over the course of seven years. Three incidents were for driving under the influence and one for domestic battery. After the last incident, the police department in San Jose, California notified Santana's supervisor of his arrest. Internal Affairs opened an investigation that uncovered the previous arrests/convictions. It also uncovered the fact that Santana had previously submitted to the agency a Standard Form 85, "Questionnaire for Public Trust Positions", in which he had failed to disclose one of the DUIs.

The appeals court found that the Board's Administrative Judge had properly applied the "lack of candor" standard established by the court in Ludlum v. Department of Justice, 278 F.3d 1280 (Fed. Cir. 2002).

Mr. Santana argued that the Board should have treated his offenses as falsifications, which would have required the agency to show he had made an affirmative misrepresentation and had an intent to deceive.

Not so, said the court, pointing out that lack of candor does not require showing of an intent to deceive.

You can view this case at <http://www.fedsmith.com/articles/references/Santana.pdf>.

MAKING FALSE STATEMENTS

UNITED STATES OF AMERICA V. AHMED, C.A. 6TH CIR. NO. 05-2319, 12/29/06

Sadeq Ahmed, a former Transportation Security Administration Baggage Screener, received 18 months in prison for making false statements related to his background investigation when he was first hired by the agency.

While in the military, Ahmed had documented his support of Usama bin Laden in early 2001, accused the U.S. of terrorism, and felt the attacks of 9/11 were a "beautiful sight" because it supports Israel. Ahmed was interviewed for loyalty concerns by the military days after the 9/11 attacks.

As a result of the interview, Ahmed's security clearance was terminated and he was shortly thereafter discharged from the U.S. military, calling his off-duty conduct "unacceptable" and referred to him as "disloyal, near seditious behavior."

After his discharge, Ahmed was hired by a private company to screen baggage and passengers at Detroit Metropolitan Airport. When TSA took over the screening functions, Ahmed was conditionally transferred pending satisfactory completion of a security background investigation.

Ahmed failed to disclose on his security questionnaire the problems he had in the military. He checked "No" when asked if he had had a clearance or access authorization denied, suspended, or revoked. He checked "No" when asked if he had ever left a job by mutual agreement or otherwise after learning of performance problems. These two answers led to the indictment and conviction of Ahmed. His appeal was unsuccessful.

You can view this case at <http://www.ca6.uscourts.gov/opinions.pdf/06a0475p-06.pdf>.



NEW INVESTIGATION TYPE: PTSBI

The Office of Personnel Management has added the Public Trust Special Background Investigation (PTSBI) for agencies desiring a higher level of investigation on certain high-risk Public Trust positions on the Standard Form (SF) 85P. As shown on Federal Investigations Notice (FIN) 06-08, Investigations Reimbursable Billing Rates for FY 2007, the case type code is 30, same as the SSBI, and the cost of the investigation is \$3,625 for priority handling and \$3,200 for standard service. OPM will convert the case type from 30 to 35 at scheduling on PTSBI requests received on the SF85P. A revised "Request for Services" form will be released by PDSB shortly. FIN 06-08 can be viewed via PDSB Bulletin 06-07 at <http://www.usda.gov/da/pdsb/bulletins.htm>.



NEW PDSB Contractor Email Addresses

Diana Barker
diana.barker@usda.gov

Valerie Ramirez
Valerie.ramirez@usda.gov

Kim Elosser
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2007 TRAINING OPPORTUNITIES IN PERSONNEL AND INFORMATION SECURITY

IMPACT 2007: Building a Culture of Security
NSI's 22nd Annual National Security Forum
April 2-4, 2007
Falls Church, VA

DoD Security Clearance Training Workshop
2-day Basic Workshop on the Importance and Process of Obtaining your Security Clearance
Including a Special Segment on Sensitive Compartmented Information (SCI) Clearances.
May 3-4, 2007
Arlington, VA

DoD Advanced Personnel Security Adjudications
Defense Security Service Academy (DSSA)
Feb 12-16, 2007 Linthicum, MD
March 5-9, 2007 Linthicum, MD
May 7-11, 2007 Linthicum, MD

Information Security Orientation (Teletraining)
May 23-24, 2007 Linthicum, MD (broadcast site)



Diploma Mills identified by the U.S. Department of Justice

St. Regis University

James Monroe University

Robertstown University

Suspected Diploma Mills Affiliated with St. Regis University

A+ Technical Institute	Holy Acclaim University
All Saints American University	Institute of Executive & Professional Development
Allegiance Academy of the Arts	InTech University of engineering and Science
American Capital University	International MBA Institute
American West University	James Monroe High School
Americana University	James Monroe International University
Ameritech University	Liberty Academy Preparatory High School
Apollo Certification Institute	Miranda International University
Audentes Technical Academy	Mission College Preparatory High School
Audentes Technical College	Nation State University
Bangalore Institute of Science, Technology, & Mgmt	New Academy of the Arts
Belcher College	New Manhattan Graduate Institute
Benjamin Franklin High School	New Manhattan University
Blackstone University	North United University
Branford Academy College Preparatory High School	Northwest United University
Breyer State University	Panama Canal University
Buktronix University	PanAmerica University
Capital American University	Port Rhode University
Capital Arts and Technology Institute	Primus College
Capital University of Arts & Technology	Primus Postgraduate College
Cathedra Institute	Primus Postgraduate University
Cathedra University	Saint Renoir University
Center State University of Executive & Professional Development	Shokouh Institute
Colony University	St. Lourdes Graduate Institute
Concordia College & University	St. Lourdes University
Concordia Graduate Institute	St. Thomas Institute
Education Centre London	Stanley State Graduate University
Eucharist Archdiocese University	Stanley State University
Eucharist Graduate Institute	Stratford College London
Evangel University Voice of Gospel Campus	Trinity Christian High School
Fort Young University	Universitas Sancti Augustinii
Hampton Bay University	University College of Advanced Studies
Hartland University	Valorem Academy
Heartland University	Valorem University
Holmes Graduate Institute	Van Ives University
Holmes University	West American University
Holy Acclaim Graduate Institute	World Chapel Ministries

HSPD-12 60-Second NEWSFLASH #8

Subject: Change in NACI requirements - Agencies No Longer Routinely Need to Request a Credit Report.

In support of Homeland Security Presidential Directive (HSPD) 12, "Policy for a Common Identification Standard for Federal Employees and Contractors", the Federal Information Processing Standards (FIPS) 201 requires a minimum investigation of a National Agency Check with Inquiries (NACI) for compliance with Personal Identity Verification (PIV) identity proofing and registration.

USDA previously directed that a review of a PIV card applicant's credit bureau records be conducted as part of every NACI as an additional form of identity verification, as credit reports contain names and addresses identifiable with the person under investigation. **USDA has recently determined this additional check of credit records is no longer necessary to augment the PIV accomplished through the NACI investigation.**

As such, **agencies should no longer routinely request a credit report** under the added coverage code when submitting a NACI request to the Office of Personnel Management or request a copy of the Fair Credit Act release as a part of the NACI process.

Agencies may still request the added coverage of a credit bureau report on any NACI associated with federal employees, contractors, or an affiliate serving in positions with fiduciary responsibilities or other positions in which financial responsibility is of importance. The cost for a NACI in FY 2006 is \$100.00 and the service type code remains 02B. Please direct any questions concerning this newsflash to the Personnel and Document Security Division, Office of Procurement and Property Management, (202) 729-7373.

If you wish to review the revised FAQ's please visit <http://lincpass.usda.gov> and click on Common Questions.

For more detailed information visit <http://lincpass.usda.gov>. You will need to **login** with your **eAuthentication Level Two** User ID and password to access the full details regarding implementation of HSPD-12 at USDA. To confirm eAuthentication access level and account information, visit <http://www.eauth.egov.usda.gov>.



Questions, comments, or suggestions on this newsletter?

Contact Carrie Moore, Senior Personnel Security Specialist, at carrie.moore@usda.gov

This newsletter is intended for USDA purposes and employees.