



PERSONNEL AND
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
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OCT 13 2017

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
COMMANDANT OF THE COAST GUARD
DIRECTOR, DEPARTMENT OF DEFENSE CONSOLIDATED
ADJUDICATIONS FACILITY

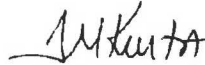
SUBJECT: Military Service Suitability Determinations for Foreign Nationals Who Are Lawful
Permanent Residents

- Reference:
- (a) 10 U.S. Code §504(b)(1)(B)
 - (b) Department of Defense Instruction (DoDI) 1304.26, "Qualification Standards for Enlistment, Appointment, and Induction," March 23, 2015
 - (c) Security Executive Agent Directive 4, National Security Adjudicative Guidelines, June 8, 2017
 - (d) Department of Defense Manual 5200.02, "Procedures for the DoD Personnel Security Program (PSP)," April 3, 2017

In order to facilitate process efficiency and the appropriate sharing of information for security risk based suitability and security decisions for the accession of foreign nationals described in reference (a), effectively immediately a Military Service Suitability Determination (MSSD) and National Security Determination (NSD), will be made prior to such foreign national's entry into Active, Reserve or Guard Service. Following completion of the appropriate background investigation, the DoD Consolidated Adjudications Facility (DoD CAF) will attempt to render favorable MSSD and NSD recommendations on the foreign national applicant, applying the National Security Adjudicative Guidelines at reference (c).

- If during the NSD or MSSD adjudication at the DoD CAF, derogatory information is discovered that cannot be mitigated in accordance with reference (c), or derogatory information is discovered that was not previously known to the Military Service of which the foreign national applicant will be a member, the DoD CAF will refer that information to the designated office of responsibility within the applicant's Military Service. The designated official will take appropriate action to mitigate the security risk or discontinue applicant processing for the individual concerned within 90 days from the date of the DoD CAF referral, on the basis of military service suitability disqualification.
- If the Military Service mitigates the derogatory information and/or grants a waiver to MSSD standards, the case and any mitigating information will be returned to the DoD CAF to complete the NSD review process. If, after review, an adverse NSD is rendered, the DoD CAF will notify the Military Service, which will discontinue applicant processing for the individual concerned.

- In cases in which the foreign national applicant is not yet a citizen but is otherwise eligible for a favorable NSD and MSSD, in accordance with reference (d), a waiver, deviation, and/or condition, as necessary and appropriate, will be annotated in the Joint Personnel Adjudication System, including the annotation of a statement that the individual is not eligible for access to classified information until U.S. citizenship is granted, and then only if the individual's position and/or duties require access to classified information.



A.M. Kurta
Performing the Duties of
Under Secretary of Defense
for Personnel and Readiness

Cc:
Chairman of the Joint Chiefs of Staff
Under Secretary of Defense for Intelligence
Under Secretary of Defense for Personnel and Readiness
Chief of the National Guard Bureau
Assistant Secretary of the Army for
Manpower and Reserve Affairs
Assistant Secretary of the Navy for
Manpower and Reserve Affairs
Assistant Secretary of the Air Force for
Manpower and Reserve Affairs
Director, Washington Headquarters Services