

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051

<https://oversight.house.gov>

December 13, 2024

The Honorable Gene L. Dodaro
Comptroller General
U.S. Government Accountability Office
441 G. Street, N.W.
Washington, D.C., 20548

Dear Comptroller General Dodaro:

The Subcommittee on Government Operations and the Federal Workforce remains concerned with the status of the Department of Defense's (DOD) personnel vetting practices, especially given the ongoing problems with the National Background Investigation Service (NBIS) program, overseen by DOD's Defense Counterintelligence and Security Agency (DCSA). We are further concerned that national security personnel are not undergoing all required record checks, non-sensitive personnel have not been enrolled in a continuous vetting system, and there are indications that there are challenges implementing continuous vetting across the federal government.¹ GAO has included the government-wide personnel security clearance process on its High-Risk List since 2018 and has issued multiple reports on its findings.² Given the longstanding issues with various components of the process used to vet those who have access to the most sensitive U.S. government information, we request that GAO review NBIS development and continuous vetting.

In 2015, cybersecurity incidents on information technology (IT) systems that supported personnel vetting compromised the data of over 22 million federal employees and contractor personnel.³ Subsequently, the Department of Defense (DOD) established the National Background Investigation Services (NBIS) program to replace the compromised IT systems. However, GAO has reported on significant delays with NBIS and the continued reliance on legacy systems almost a decade after the security breaches and⁴ added the government-wide personnel security clearance process to its High-Risk list in January 2018.⁵

¹ Erich Wagner, *OPM announces expansion of 'continuous vetting' security clearance process for current feds*, GOVERNMENT EXECUTIVE (October 4, 2023); Jared Serbu, *DCSA rolling out continuous vetting to a million more feds*, FEDERAL NEWS NETWORK (September 9, 2024).

² Alissa H. Cxyz, GOVERNMENT ACCOUNTABILITY OFFICE, GAO-23-105670, PERSONNEL VETTING: DOD NEEDS A RELIABLE SCHEDULE AND COST ESTIMATE FOR THE NATIONAL BACKGROUND INVESTIGATION SERVICES PROGRAM (August 17, 2023).

³ Taylor Armerding, *The OPM breach report: A long time coming*, CSO (October 13, 2016).

⁴ *Supra* n. 2; Brian M. Mazanec, GOVERNMENT ACCOUNTABILITY OFFICE, GAO-22-104093, PERSONNEL VETTING: ACTIONS NEEDED TO IMPLEMENT REFORMS, ADDRESS CHALLENGES, AND IMPROVE FUNDING (Dec. 9, 2021).

⁵ Michelle Sager, GOVERNMENT ACCOUNTABILITY OFFICE, GAO-23-106203, HIGH-RISK SERIES: EFFORTS MADE TO ACHIEVE PROGRESS NEED TO BE MAINTAINED AND EXPANDED TO FULLY ADDRESS ALL AREAS (April 20, 2023).

Since 2019, DCSA has been developing and managing NBIS, however the Committee is concerned about the numerous delays with the program and questions about the contractor's ability to satisfy government requirements. GAO recently reported that DCSA does not have a reliable schedule or cost estimate for NBIS, which is inconsistent with best practices.⁶ Additionally, in June 2024, GAO reported that DCSA has also not fully planned for the cybersecurity controls needed to adequately protect NBIS and legacy systems.⁷ As a result, DCSA is years late in delivering NBIS and today has only implemented the first capability of the system—the electronic application. In June 2024, DCSA initiated a “NBIS Recovery Plan” to address these delays and challenges related to costs and technology.⁸ While new DCSA leadership has shown commitment to better practices, questions remain about ongoing contractor performance and project management that the Committee seeks to address.

Delays in NBIS implementation have cascading effects on government-wide personnel vetting. For example, in 2018, the federal government initiated Trusted Workforce 2.0 to reform the personnel vetting processes. Replacing periodic records reviews with continuous vetting is a key aspect of Trusted Workforce 2.0. Continuous vetting involves reviewing the background of a covered individual through automated record checks in various areas, including criminal records, terrorism, and financial issues, during an individual's period of eligibility. Unfortunately, these changes have not occurred as planned due to continued NBIS delays.

Given the importance of a timely, accurate and comprehensive personnel vetting process, we request that GAO conduct a review on continued NBIS development and continuous vetting. Specifically, we request GAO examine:

- (1) DCSA's revised plans for NBIS development, to include but not limited to, how it manages requirements from federal government and industry stakeholders;
- (2) The extent to which DCSA has developed a reliable schedule to ensure the efficient and timely delivery of NBIS capabilities;
- (3) DOD's management of costs associated with NBIS development and operations, including whether it has a reliable cost estimate for the program;
- (4) DOD's progress in managing the transition away from legacy systems and plan for funding maintenance of legacy systems and NBIS;
- (5) The extent to which the federal government has implemented continuous vetting for employees in national security positions and non-sensitive public trust positions;
- (6) Challenges faced by DCSA and the Office of the Director of National Intelligence with continuous vetting systems and actions taken to resolve any issues; and

⁶ *Supra* n. 2.

⁷ Alissa H. Czyz, GOVERNMENT ACCOUNTABILITY OFFICE, GAO-24-107616, PERSONNEL VETTING: DOD NEEDS TO IMPROVE MANAGEMENT OF THE NATIONAL BACKGROUND INVESTIGATION SERVICES PROGRAM (June 26, 2024).

⁸ Defense Counterintelligence and Security Agency, *Update on NBIS Recovery Plan and Digital Transformation*, (June 24, 2024).

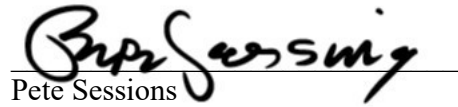
The Honorable Gene Dodaro
December 13, 2024

(7) Any savings realized from continuous vetting reducing the need for periodic reinvestigations.

To ask any related follow-up questions or questions related to the timing and sequencing of work, please contact Committee staff at (202) 225-5074.

The Committee on Oversight and Accountability is the principal oversight committee in the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you for your attention to this request.

Sincerely,



Pete Sessions
Chairman
Subcommittee on Government Operations
Workforce



Kweisi Mfume
Ranking Member
Subcommittee on Government and the Federal
and the Federal Workforce