MEMORANDUM FOR NG J1 RRF (All-Entire RRF)

SUBJECT: SMOM 15-017, Screening of Title 32 Positions Of Significant Trust and Authority (POSTA) (Amended 14 April 2015)

1. Purpose: To establish guidance to the Recruiting and Retention Force (RRF) regarding suitability and security screening policy for personnel identified in or nominated to occupy a Positions Of Significant Trust and Authority (POSTA).

2. Reference:
   d. Secretary of the Army (SECARMY) memorandum ensuring the quality of Sexual Assault Response Coordinators (SARCs), Victim Advocates (VA) and others in identified positions of significant trust and authority, 28 May 2013.
   e. Assistant Secretary of the Army (ASA) Manpower and Reserve Affairs (M&RA) memorandum providing guidance for civilian SHARP program positions, 27 Sep 2013.
   f. SECARMY memorandum ensuring the quality of SARCs, Sexual Assault Prevention and Response (SAPR), VA and others in identified positions of significant trust and authority, 14 February 2014.
   g. HQDA EXORD 221-12 SHARP PROGRAM SYNCHRONIZATION ORDER, 25 June 2012.
   h. HQDA EXORD 161-13 SHARP PROGRAM ARMY STAND DOWN, 10 June 2013.
   i. ARNG EXORD 13-02 SHARP PROGRAM ARMY STAND DOWN, June 2013.
   j. HQDA EXORD 193-14 SCREENING OF SEXUAL HARASSMENT/ASSAULT RESPONSE AND PREVENTION PROGRAM PERSONNEL AND OTHERS IN IDENTIFIED POSITIONS OF SIGNIFICANT TRUST, 26 July 2014.
3. Background:
   
   a. On 28 May 2013, the Secretary of the Army (SECARMY) signed a memorandum providing additional guidance on the implementation of screening for Sexual Assault Response Coordinators (SARCs), Sexual Harassment/Assault Response and Prevention Victim Advocates (SHARP VA), Recruiters, Drill Sergeants and Advanced Individual Training (AIT) Platoon Sergeants. The Army began this screening in June 2013.

   b. In August of 2013, the Director of the Army National Guard (DARNG) directed the ARNG to begin broadened screenings in the absence of formal guidance from the Department of the Army, Deputy Chief of Staff (DCS) G-1 SHARP office.

4. Definitions:
   
   a. Recruiters: All Soldiers performing a recruiting function and in a duty position on the Recruiting and Retention Battalion (RRBN) TDA. This may include RRBN Recruiting and Retention NCOs (RRNCOs), Recruiting and Retention Section Chiefs (RRSCs), Recruiting and Retention 1SGs, ADOS RRNCOs, Officer Strength Managers (OSMs), AMEDD Recruiting Officers and NCOs, Warrant Officer OSMs, Recruiting Company and RRBN Commanders and Sergeants Major to include MOS Immaterial RRBN Command Sergeants Major. Personnel not performing a direct recruiting function regardless of MOS are not considered Recruiters for the purposes of this policy.

   b. Recruit Sustainment Program (RSP) Cadre is defined as all RRBN full-time personnel T32 AGR or ADOS regardless of MOS that work with RSP Soldiers during IDT weekend RSP or Direct Ship training.

   c. Recruit Support Staff is defined as all RRBN personnel T32 AGR or ADOS that work in a full-time status in support of recruiting operations in any capacity whether in RRBN HQ, MEPS, Storefront Recruiting Operations, Mobile Event Teams or any other position providing direct support to the recruiters interacting with the public or RSP Soldiers.

5. Applicability. This guidance applies to all ARNG RRBN Soldiers currently serving in, or nominated for positions of significant trust and authority as defined in paragraph 4 regardless of the component of membership or current status in that component.

6. Immediate task required to comply with this guidance is to complete the Enclosure 8 ANNEX H spreadsheet ASAP that lists all of your current on board or pending new hire POSTA Soldiers. It is only names, SSNs, duty positions and status. This task should be easy personnel reporting and not take long. Email it back to LTC Saracco, Matthew ASAP but no later than 30 January 2015. Please note this task is separate from the remainder of this SMOM and will assist GSS until the PASS automated tracking system is built.
7. Implementing Guidance. Effective immediately these background screenings must be conducted to determine the Soldier’s suitability to serve in sensitive duty positions.

   a. The appointing authority for all RRBN POSTA is the HRO or first COL (O6) in the chain of command.

   b. Processes and criteria for background screenings and security clearances are independent and unique. Background screenings have no relationship to nor do they impact security clearances. Consequently, a Soldier who possesses a TS clearance may not be cleared during the background screening process.

   c. Credible evidence of a Type I offense will result in mandatory, non-waiverable disqualification for appointment to, or retention in a position of trust. An exception can be requested if the Soldier is currently serving in a POSTA with the PMOS of 79T. (see Enclosure 3, Section 3.D.10.A.1 for details on this waiver)

   d. Credible evidence of a Type II offense will also result in disqualification for appointment to, or retention in a position of significant trust, but may be waived in accordance with guidance provided in ALARACT 188_2014 dated 26 July 2014. (Enclosure 5)

8. Recent changes regarding the inclusion and command review of information on sex-related offenses in the Army military human resource record are attached. (Enclosure 7)

9. Soldiers nominated to serve or currently serving in full time positions of significant trust and authority must have the following completed at the State level before their application is forwarded to National Guard Bureau (NGB) for national level screening as outlined in paragraph 10 (Enclosure 1):

   a. Soldiers must declare or update any issues which may prevent them from being approved for appointment, by completing Department of the Army (DA) Form 7424, Sensitive Duty Assignment Eligibility Questionnaire, July 2009 (Enclosure 6).

   b. Verify Soldier has a favorable National Agency Check with Law and Credit (NACLC).

   c. Conduct a search for the Soldiers name on the National Sex Offender Public Website (http://www.nsopw.gov); the local commander will print and sign a copy of the search results. This signed document will be added to the Soldiers OMPF.

   d. Screening of local personnel file to determine any Type 1 or Type 2 offenses in OMPF and any record in the Recruiter Impropriety portal on SMMS.

   e. Use DD Form 369 Police Record Check to screen for Type 1 or Type 2 offenses
anywhere the Soldier lived, worked, or went to school full time, in the past 7 years.

f. Solders can be hired into Post Positions on ADOS once all State level background checks are completed.

10. Responsibilities:

a. States will forward records to NGB using the PASS tracking system once it becomes fully operational. States will maintain all records locally and report POST status to NGB via email to GSS-RSB with ANNEX H attached (see Enclosure 8). All packets must contain full name and social security number of candidates to be considered. Documents supporting the State level screening must accompany all packets.

b. Upon receipt of the complete packet, ARNG Personnel Division, Personnel Actions Branch (HRP-R) will forward all names with rank and full SSN to Department of Army Inspector General (DAIG), Criminal Investigation Division (CID) for review and HRS for an Army Substance Abuse Program (ASAP) review. HRP-R Suitability Screening Section will review restricted files.

c. HRP-R will forward the findings of OMPF including Restricted Fiche, DAIG database, CID database and ASAP reviews to GSS and HRS for notification to the States.

d. HRP-R will track the names and offenses for all persons identified as having a Type 1 or Type 2 offense.

e. GSS and HRS will track all individuals screened for POSTA in the PASS system.

f. Waivers for Type 1 and Type 2 offenses, whether State or Federal will be processed individually by GSS or HRS.

11. Behavior Health Interviews (BHIs) must be complete on all new hires into POSTA prior to AGR or ADOS start date. (See Enclosure 2) BHIs must be conducted by a licensed/credentialed provider (MD, NP, Psychologist, and LCSW). BHIs for current on board POSTA Soldiers must be scheduled as soon as possible and must be completed NLT 180 days from this SMOM publishing date. The BHI results will only be returned to the appointing authority not the local unit commander. The BHI will be conducted at one of the following locations:

a. Medical Detachments in your state.

b. Army Medical Treatment Facilities. (Enclosure 4)

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c. During PHA scheduled for unit or individual Soldier.
12. GSS will maintain an updated Army Privacy Program compliant suitability and screening roster for full time and collateral duty Recruiters, Recruit Sustainment Program (RSP) full time Cadre, Recruit Support Staff, and Drill Sergeants.

13. Soldiers who are flagged, barred to reenlist, or coded with any administrative information indicating legal investigation is underway are prohibited from initial appointment or service in a POSTA until the flag, bar or code is removed. Soldiers who are flagged for APFT failure or height/weight failure may be appointed at the discretion of the command.

14. Soldiers with a currently revoked, denied or suspended security clearance, or who failed to attain or maintain a favorable NACLC investigation are not eligible for appointment, or retention in, a position of significant trust and authority.

15. Nomination process timeline as listed in ALARACT 188/2014 states that these extensive screenings, BHIs and other local requirements can be significant so an estimated minimum 6 (six) months from selection to approval for orders should be expected.

16. Point of contact for this SMOM is LTC Matthew Saracco at (703)-601-7630 or via email: matthew.r.saracco.mil@mail.mil.

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8 Encls

1. Recruiting POSTA Workflow Chart.pptx
2. BHI Process Enclosure.pdf
3. HQDA EXORD 193-14.pdf
4. HQDA EXORD 193-14 Annexes.pdf
5. HQDA EXORD 161-13 SHARP Stand-Down.pdf
6. DA 7424.pdf
7. MILPER 14-365.pdf
8. Updated SMOM Annex H new format.xlsx