



To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

NOTE: Pursuant to Section 101 of the Aviation and Transportation Security Act (49 U.S.C. 114(n)), this directive and all related Handbooks, Attachments, and Appendices, establish Transportation Security Administration (TSA) policy and must be applied accordingly.

1. **PURPOSE:** This directive provides TSA policy and procedures for the debarment of certain applicants.
2. **SCOPE:** This directive applies to all individuals who apply for employment with TSA.
3. **AUTHORITIES:**
 - A. The Aviation and Transportation Security Act, Pub L. 107-71 (ATSA)
4. **DEFINITIONS:**
 - A. Applicant: An individual who applies for employment with TSA.
 - B. Debarment: An exclusion of employment eligibility with TSA.
 - C. Suitability Determination: For purposes of this MD, the determination of an applicant's/employee's suitability for federal employment in a particular position, based upon the information contained in: Standard Form (SF) 85, *Questionnaire for Non-Sensitive Positions*; SF-85P, *Questionnaire for Public Trust Positions*; SF-86, *Questionnaire for National Security Positions*; OF-306, *Declaration of Federal Employment*; the background investigation results; and any other relevant information obtained by the Office of Law Enforcement/Federal Air Marshal Service (OLE/FAMS), Office of Security Services and Assessments (SSA), Personnel Security Section (PerSec).
5. **RESPONSIBILITIES:**
 - A. The TSA Office of Human Capital (OHC) is responsible for:
 - (1) Developing, implementing, and applying policies and procedures regarding applicant debarment from TSA;
 - (2) Reviewing applicants, during the hiring process, to determine if any referred applicants are former TSA employees that are subject to debarment;
 - (3) Notifying affected applicants that they are subject to debarment from TSA employment if certain conditions are met; and

- (4) Ensuring that no offers of employment are extended to former TSA employees/applicants who are debarred from TSA employment.

B. PerSec, within OLE/FAMS, SSA, is responsible for:

- (1) Making suitability determinations of applicants and employees; and
- (2) Coordinating with OHC to facilitate separation of employees found to be ineligible during the suitability determination process.

6. POLICY:

A. For former TSA employees that meet the criteria below, a debarment period from TSA employment of three (3) years, and beginning on the effective date of the separation, shall be imposed. During the debarment period, TSA will not reemploy any former TSA employees who were separated for any of the following reasons:

- (1) Failure to successfully complete the Annual Proficiency Review or failure to successfully complete necessary required training (if applying to the same or similar position previously held);
- (2) Unacceptable performance;
- (3) Misconduct;
- (4) Suitability determination; and/or
- (5) In cases where the former employee resigned after receiving a proposed removal letter.

NOTE: For more information on performance or conduct based separations, please see [TSA MD 1100.75-3, *Addressing Unacceptable Performance and Conduct*](#), and the associated [Handbook](#).

B. All applicants will be debarred from TSA employment if they have been convicted (or found not guilty by reason of insanity) of any of the disqualifying offenses found in 49 U.S.C. § 44936(b)(1) if the conviction occurred within the 10-year period ending on the date of the suitability investigation. Cases in which the conviction occurred beyond the 10-year period will be made on a case-by-case basis, taking into account the nature and seriousness of the conviction.

7. PROCEDURES:

A. TSA OHC and OLE/FAMS PerSec will review applicants and employees to determine if they are subject to debarment from TSA employment.

- (1) TSA OHC will review the certificate of eligibles, prior to issuance, to determine if any referred applicants are former TSA employees that are subject to debarment; and
 - (2) OLE/FAMS PerSec will make suitability determinations of selected applicants and employees.
- B. TSA will notify affected applicants and employees that they are subject to debarment from TSA employment if the conditions above are met.
- C. When a period of debarment expires, a person is eligible to apply to any vacancy announcement subject to the rules and requirements in the particular announcement. TSA will process the application and evaluate eligibility, qualifications, and suitability as appropriate.
8. **APPROVAL AND EFFECTIVE DATE:** This policy is approved and effective the date of signature unless other specified.

APPROVAL

Signed

July 7, 2017

Karen Shelton Waters
Assistant Administrator for Human Capital

Date

EFFECTIVE

July 27, 2017

Date

Distribution: Administrator, Deputy Administrator, Assistant Administrator, Regional Directors, Federal Security Directors, Supervisory Air Marshals in Charge, Business Management Division Directors, Administrative Officers, and Human Resources Specialists.

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