

# OPM Sets Reinvestigations at Every 5 Years for 'Public Trust' Feds

From *FederalRadioNews.com*, November 9, 2011 by [Jason Miller](#)

Starting Dec. 9, agencies will have to reinvestigate employees in "public trust" positions every five years.

The Office of Personnel Management issued the [final rule](#) today to implement a 2009 Executive Order. President Bush called for employees doing policy-making, having major program responsibility and those in public safety and health, law enforcement duties and fiduciary responsibilities to be reinvestigated at least once every five years.

The rule stated public trust positions are those that are "designated at a moderate or high risk level, based on the position's potential for adverse impact on the efficiency or integrity of the service."

OPM took nearly two years to come up with a final rule. It issued an initial proposed rule in December 2009, but received comments from interested parties that they were confused. OPM re-released a proposed rule in November 2010. This time it received comments from 17 unions, organizations and people.

"[T]he investigative product for reinvestigations of employees occupying non-sensitive public trust positions will be the National Agency Check with Local Agency Check and Credit Check (NACLC) or Periodic Reinvestigation (PRI) depending on the level of public trust," the rule stated. "As proposed, reinvestigations must occur frequently enough to ensure that continued employment of persons in public trust positions remains appropriate."

OPM said the cost to reinvestigate employees every five years could be prohibitive. To lessen the burden on agencies, OPM chose to depend on the NACLC and PRI, which are low-cost services. One minor change from the proposed to the final rule is the need to reinvestigate an employee who has left federal service for less than two years. Previously, the agency would need to do a new examination.

Additionally, OPM plans on issue another final rule in early 2012 covering reinvestigation requirements for employees with national security positions and access to classified information. It issued a proposed rule in December 2010.

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