

***Secure Worker™* Screening Requirements**

Criminal History Background Screening Searches

- Social Security Number — Positive Identity Verification (PIV)
- Federal District Court Search (each district of residence) *
- National Criminal Search*
- Statewide Criminal Check (each state of residence) *
- County Criminal Search (each county of residence) *
- Sexual Offender Search (each state of residence) *
- Fake Identification Convictions
- Check material for false statement or omissions on Application Form
- National Terrorist Watch List Search (OFAC-SDN, TSA TVS)

* **NOTE:** Within ten (10) years preceding date of application.

Criminal History Searches – Results Adjudication and Certification

Individuals who apply for Secure Worker certification will be assigned one of the following adjudicated results based on information discovered during the background screening process. Specific criteria for adjudication and assignment of certification level are provided in this document for the following certifications:

- Secure Worker - High
- Secure Worker - Limited

Any applicant who fails to meet the criteria for the above certifications will be issued a “Does Not Qualify” result.

Criteria for *Secure Worker™ - High Certification*

Secure Access Control Areas and Confidential & Privileged Information

- I. **No convictions ever in your lifetime:** an individual has a disqualifying criminal offense if the individual was convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction of any of the following felonies or criminal offenses:
- (1) Espionage or conspiracy to commit espionage.
 - (2) Sedition, or conspiracy to commit sedition.
 - (3) Treason, or conspiracy to commit treason.
 - (4) A federal crime of terrorism as defined in [18 U.S.C. 2332b](#), or comparable State law, or conspiracy to commit such crime.
 - (5) A crime involving a transportation security incident. A transportation security incident is a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area, as defined in [46 U.S.C. 70101](#). The term “economic disruption” does not include a work stoppage or other employee-related action not related to terrorism and resulting from an employer-employee dispute.
 - (6) Improper transportation of a hazardous material under [49 U.S.C. 5124](#), or.
 - (7) Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device. An explosive or explosive device includes, but is not limited to, an explosive or explosive material as defined in [18 U.S.C. 232](#), 841(c) through 841(f), and 844(j); and a destructive device, as defined in [18 U.S.C. 921](#)(a)(4) and [26 U.S.C. 5845](#)(f).
 - (8) Murder.
 - (9) Making any threat, or maliciously conveying false information knowing the same to be false, concerning the deliverance, placement, or detonation of an explosive or other lethal device in or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility.
 - (10) Violations of the Racketeer Influenced and Corrupt Organizations Act, [18 U.S.C. 1961](#), *et seq.*, or a comparable State law, where one of the predicate acts found by a jury or admitted by the defendant, consists of one of the crimes listed in paragraph (a) of this section.
 - (11) Attempt to commit the crimes in paragraph I (1-4).
 - (12) Conspiracy or attempt to commit the crimes in paragraph I (5-10).
- Under want, warrant, or indictment.* An applicant who is wanted, or under indictment in any civilian or military jurisdiction for a felony listed in this section, is disqualified until the want or warrant is released or the indictment is dismissed.**
- II. An individual has a disqualifying criminal offense if the individual was convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction, **within the past ten (10) years** from completion of sentence preceding the date of application, of the following offenses:
- (1) Forgery of certificates, false marking of aircraft, and other aircraft registration violation; [49 U.S.C. 46306](#).
 - (2) Interference with air navigation; [49 U.S.C. 46308](#).
 - (3) Improper transportation of a hazardous material; [49 U.S.C. 46312](#).
 - (4) Aircraft piracy; [49 U.S.C. 46502](#).
 - (5) Interference with flight crew members or flight attendants; [49 U.S.C. 46504](#).

- (6) Commission of certain crimes aboard aircraft in flight; [49 U.S.C. 46506](#).
- (7) Carrying a weapon or explosive aboard aircraft; [49 U.S.C. 46505](#).
- (8) Conveying false information and threats; [49 U.S.C. 46507](#).
- (9) Aircraft piracy outside the special aircraft jurisdiction of the United States; [49 U.S.C. 46502](#).
- (10) Lighting violations involving transporting controlled substances; [49 U.S.C. 46315](#).
- (11) Unlawful entry into an aircraft or airport area that serves air carriers or foreign air carriers contrary to established security requirements; [49 U.S.C. 46314](#).
- (12) Destruction of an aircraft or aircraft facility; [18 U.S.C. 32](#).
- (13) Assault with intent to murder.
- (14) Kidnapping or hostage taking.
- (15) Rape or aggravated sexual abuse.
- (16) Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon.
- (17) Extortion.
- (18) Armed or felony unarmed robbery.
- (19) Distribution of, or possession with the intent to distribute, or importation of a controlled substance; including A through E felonies or equivalent.
- (20) Felony arson.
- (21) Felony involving a threat.
- (22) Felony involving -
 - (i) Willful destruction of property;
 - (ii) Importation or manufacture of a controlled substance; including A through E felonies or equivalent;
 - (iii) Burglary;
 - (iv) Theft; including A through E felonies or equivalent;
 - (v) Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering;
 - (vi) Possession or distribution of stolen property; including A through E felonies or equivalent;
 - (vii) Aggravated assault;
 - (viii) Bribery; or
 - (ix) Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year, including A through E felonies or equivalent.
- (23) Violence at international airports; [18 U.S.C. 37](#).
- (24) Conspiracy or attempt to commit any of the criminal acts listed in this paragraph II (1-24).

Under want, warrant, or indictment. An applicant who is wanted, or under indictment in any civilian or military jurisdiction for a felony listed in this section, is disqualified until the want or warrant is released or the indictment is dismissed.

III. An individual has a disqualifying criminal offense if the individual was convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction, within the **past ten (10) years** from completion of sentence preceding the date of application, of the following offenses:

- (1) Violent Felony Offenses (as defined in the New York State Penal Law 70.02) or any comparable law in any State.
- (2) Conspiracy or attempt to commit any criminal act listed in paragraph III.

Under want, warrant, or indictment. An applicant who is wanted, or under indictment in any civilian or military jurisdiction for a felony listed in this section, is disqualified until the want or warrant is released or the indictment is dismissed.

NOTE: Felony disqualifiers are based on, but are not necessarily identical to, Title 49 CFR Part 1542.209(d) and Title 49 CFR Part 1572.103 and shall be updated periodically.

Criteria for *Secure Worker™ - Limited* Certification

Secure Access Control Areas and Confidential & Privileged Information

- I. **No convictions ever in your lifetime:** an individual has a disqualifying criminal offense if the individual was convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction of any of the following felonies or criminal offenses:
- (1) Espionage or conspiracy to commit espionage.
 - (2) Sedition, or conspiracy to commit sedition.
 - (3) Treason, or conspiracy to commit treason.
 - (4) A federal crime of terrorism as defined in [18 U.S.C. 2332b](#), or comparable State law, or conspiracy to commit such crime.
 - (5) A crime involving a transportation security incident. A transportation security incident is a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area, as defined in [46 U.S.C. 70101](#). The term “economic disruption” does not include a work stoppage or other employee-related action not related to terrorism and resulting from an employer-employee dispute.
 - (6) Improper transportation of a hazardous material under [49 U.S.C. 5124](#), or.
 - (7) Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device. An explosive or explosive device includes, but is not limited to, an explosive or explosive material as defined in [18 U.S.C. 232](#), 841(c) through 841(f), and 844(j); and a destructive device, as defined in [18 U.S.C. 921](#)(a)(4) and [26 U.S.C. 5845](#)(f).
 - (8) Murder.
 - (9) Making any threat, or maliciously conveying false information knowing the same to be false, concerning the deliverance, placement, or detonation of an explosive or other lethal device in or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility.
 - (10) Violations of the Racketeer Influenced and Corrupt Organizations Act, [18 U.S.C. 1961](#), *et seq.*, or a comparable State law, where one of the predicate acts found by a jury or admitted by the defendant, consists of one of the crimes listed in paragraph (a) of this section.
 - (11) Attempt to commit the crimes in paragraph I (1-4).
 - (12) Conspiracy or attempt to commit the crimes in paragraph I (5-10).
- Under want, warrant, or indictment.* An applicant who is wanted, or under indictment in any civilian or military jurisdiction for a felony listed in this section, is disqualified until the want or warrant is released or the indictment is dismissed.**
- II. An individual has a disqualifying criminal offense if the individual was convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction, **within the past ten (10) years** from completion of sentence preceding the date of application, of the following offenses:
- (1) Forgery of certificates, false marking of aircraft, and other aircraft registration violation; [49 U.S.C. 46306](#).
 - (2) Interference with air navigation; [49 U.S.C. 46308](#).
 - (3) Improper transportation of a hazardous material; [49 U.S.C. 46312](#).
 - (4) Aircraft piracy; [49 U.S.C. 46502](#).
 - (5) Interference with flight crew members or flight attendants; [49 U.S.C. 46504](#).

- (6) Commission of certain crimes aboard aircraft in flight; [49 U.S.C. 46506](#).
- (7) Carrying a weapon or explosive aboard aircraft; [49 U.S.C. 46505](#).
- (8) Conveying false information and threats; [49 U.S.C. 46507](#).
- (9) Aircraft piracy outside the special aircraft jurisdiction of the United States; [49 U.S.C. 46502](#).
- (10) Lighting violations involving transporting controlled substances; [49 U.S.C. 46315](#).
- (11) Unlawful entry into an aircraft or airport area that serves air carriers or foreign air carriers contrary to established security requirements; [49 U.S.C. 46314](#).
- (12) Destruction of an aircraft or aircraft facility; [18 U.S.C. 32](#).
- (13) Assault with intent to murder.
- (14) Kidnapping or hostage taking.
- (15) Rape or aggravated sexual abuse.
- (16) Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon.
- (17) Extortion.
- (18) Armed or felony unarmed robbery.
- (19) Distribution of, or possession with the intent to distribute, or importation of a controlled substance; including A felonies or equivalent only;
- (20) Felony arson.
- (21) Felony involving a threat.
- (22) Felony involving -
 - (i) Willful destruction of property;
 - (ii) Importation or manufacture of a controlled substance; including A felonies or equivalent only;
 - (iii) Burglary;
 - (iv) Theft; including A felonies or equivalent only;
 - (v) Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering;
 - (vi) Possession or distribution of stolen property; including A felonies or equivalent only;
 - (vii) Aggravated assault;
 - (viii) Bribery; or
 - (ix) Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year; including A felonies or equivalent only.
- (23) Violence at international airports; [18 U.S.C. 37](#).
- (24) Conspiracy or attempt to commit any of the criminal acts listed in this paragraph II (1-24).

Under want, warrant, or indictment. An applicant who is wanted, or under indictment in any civilian or military jurisdiction for a felony listed in this section, is disqualified until the want or warrant is released or the indictment is dismissed.

III. An individual has a disqualifying criminal offense if the individual was convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction, within the **past ten (10) years** from completion of sentence preceding the date of application, of the following offenses:

- (1) Violent Felony Offenses (as defined in the New York State Penal Law 70.02) or any comparable law in any State.
- (2) Conspiracy or attempt to commit any criminal act listed in paragraph III.

***Under want, warrant, or indictment.* An applicant who is wanted, or under indictment in any civilian or military jurisdiction for a felony listed in this section, is disqualified until the want or warrant is released or the indictment is dismissed.**

IV. An individual has a disqualifying criminal offense if the individual was convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction, within the **past five (5) years** from completion of sentence preceding the date of application, of the following offenses:

- (1) Distribution of, or possession with the intent to distribute, or importation of a controlled substance; including B through E felonies or equivalent only;
- (2) Felony involving –
 - (i) Importation or manufacture of a controlled substance; including B through E felonies or equivalent only;
 - (ii) Theft; including B through E felonies or equivalent only;
 - (iii) Possession or distribution of stolen property; including B through E felonies or equivalent only;
 - (iv) Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year; including B through E felonies or equivalent only.
- (3) Conspiracy or attempt to commit any of the criminal acts listed in this paragraph IV.

NOTE: Felony disqualifiers are based on, but are not necessarily identical to, Title 49 CFR Part 1542.209(d) and Title 49 CFR Part 1572.103 and shall be updated periodically.