

## Proposed Changes to the SF86

On March 12, 2013, the Office of Personnel Management (OPM) proposed

a series of changes to the Questionnaire for National Security Positions, Standard Form 86 (SF86). These changes to the SF86 primarily aim to clarify the type of information requested from respondents. In some instances, the changes address emerging cultural trends in some states, such as the legalization of marijuana and legally recognized same-sex marriages. While the agency is trying to simplify the SF86 for respondents, applying for a security clearance remains a complex process. Federal employees, contractors, and military personnel should consult with a security clearance attorney when completing the SF86 form. Below is a summary of significant SF86 changes that OPM has proposed. Section 11, "Where You Have Lived"

: Clarifies that respondents should not list a spouse, cohabitant, or relative as the verifier for periods of residence.

### Section 20b, "Foreign Government Contacts"

: Clarifies that respondents do not have to report foreign contacts "related to official U.S. Government travel" or "related to routine visa applications and border crossings on a U.S. passport."

### Section 20c, "Foreign Travel"

: Clarifies that travel "solely for U.S. Government business" qualifies as "travel on official Government orders."

### Section 23, "Illegal Use of Drugs and Drug Activity"

: Clarifies that that "drug use or activity illegal under Federal laws must be reported, even if that use or activity is legal under state or local law(s)

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### Authorization for Release of Information

: Clarifies that "publicly available electronic information" (e.g., social media) is within the meaning of "other sources of information."

### Section 17, "Marital Status"

: This section will be renamed "Marital/Relationship Status." There will be a new requirement for the collection of information regarding "legally recognized civil unions and legally recognized domestic partnerships, and dissolutions of these." Additionally, "cohabitant" will be redefined to "exclude legally recognized civil unions and legally recognized domestic partnerships."

### Section 20a, "Foreign Activities"

: Changes will be made to the branching questions relating to "prior ownership of foreign real estate that has since been sold."

Question 21, "Psychological and Emotional Health"

: Changes will be made to clarify support "for mental health treatment and encouraging pro-active management of mental health conditions to support wellness and recovery."

Call Tully Rinckey PLLC today to speak confidentially about your individual situation with an experienced security clearance attorney. We can be reached 24 hours a day, seven days a week at 202-787-1900 or via email at [info@fedattorney.com](mailto:info@fedattorney.com)

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