DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

ES 2016-00751

MEMORANDUM FOR: Distribution

SUBJECT: Revisions to the Psychological and Emotional Health Questions on the Standard Form 86, Questionnaire for National Security Positions

REFERENCE: A. Revised Instructions for Completing Question 21, Standard Form 86, "Questionnaire for National Security Positions," ES 2013-00242, 12 April 2013

In my role as the Security Executive Agent, I am pleased to announce the enhancements to the psychological and emotional health questions covered by Section 21 (S21), often referred to as Question 21, of the Standard Form 86 (SF-86). The revisions represent the culmination of extensive work among the Office of the Vice President, National Security Council, Office of Management and Budget, Office of Personnel Management, Department of Defense (DoD), Department of Justice, Department of Health and Human Services, Department of Veterans Affairs, and Office of the Director of National Intelligence staff. The resultant changes will better emphasize the importance of the mental health and wellness of our Federal workforce and others while simultaneously protecting our national security interests.

The revision efforts focused on adjusting the psychological and emotional health related questions to avoid any potential negative impact the questions and security clearance process could have on individuals seeking mental health treatment, if those individuals thought that seeking such treatment would negatively impact their ability to receive a security clearance. As background, concerns were expressed during ongoing efforts to update the security clearance process about the SF-86 questions related to an applicant's mental health as contained in S21 of the form. Specifically, concerns were raised as to whether the S21 (as drafted at the time) adequately identified the issues for evaluation in the course of a background investigation or had the potential to discourage applicants from seeking treatment altogether. While it also included follow-on caveats that accounted for victims of sexual assault and combat related trauma, I agreed that this question needed to be updated to further address concerns about the perceived disincentives to seeking treatment for mental health conditions. I want to make clear that an individual's decision to seek mental health treatment and/or counseling will not, in and of itself, adversely impact his or her ability to obtain or maintain a national security position, or alone form the basis for a denial or revocation of a security clearance. Seeking personal wellness and recovery demonstrates responsible behavior and may be considered favorably when evaluating a person's eligibility for a national security position. In the interest of encouraging all people to obtain the mental health services they need, please reiterate to your workforce the Employee Assistance Programs, treatment, and/or services available through your respective Departments and Agencies (D/As).

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I continue to advocate on behalf of victims of sexual assault and combat related traumas who have had or intend to receive mental health counseling. These individuals are not required to provide information about voluntary treatment unless they have a condition that substantially adversely affects their judgment, reliability, or trustworthiness. The new S21 includes similar questions about ordered treatments and hospitalizations, but rather than beginning by asking about the "fact of" an individual consulting a health care professional regarding a psychological or emotional health condition, the revised version of S21 (attached) asks if the responding individual has:

a) been declared mentally incompetent by a court or administrative agency;
b) been ordered to consult with a mental health professional by a court or administrative agency;
c) been hospitalized for a mental health condition;
d) been diagnosed by a physician or other health professional with specifically listed diagnoses; and/or
e) a mental health or other health condition that substantially adversely affects judgment, reliability or trustworthiness.

These questions shift the focus from whether an individual has sought treatment to whether an individual has a condition that may affect his or her eligibility for access to classified information (security clearance) or for eligibility to hold a sensitive position. In addition, the revised version of S21 also inserts new, explanatory language at several points throughout, in order to: reiterate that the question is asked in the narrow context of the security clearance process; make clear that the government recognizes the positive value in seeking counseling and treatment when needed for any reason; and otherwise avoid the potential of discouraging an individual who may have dealt with, or who is currently experiencing, mental health conditions from seeking treatment. The National Background Investigations Bureau, in concert with the DoD, is currently establishing the technical implementation of S21 revisions into the Electronic Questionnaire for Investigative Processing (eQIP) system. In the interim, I strongly encourage all D/As to ensure that your staffs are appropriately trained and familiar with the contents of the revised S21 to facilitate an orderly implementation upon the release of the new S21 via eQIP. Thank you in advance for your support to this critical initiative. If you should have any questions or require assistance, please email my staff at SecEA@DNI.gov.

James R. Clapper

16 Nov 2016
Date

Attachment:
1. Revised Questionnaire for National Security Positions, Section 21: Psychological and Emotional Health

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Director, Office of Government Ethics
Director, U.S. Peace Corps
Director, Selective Service System
Administrator, Small Business Administration
Commissioner, Social Security Administration
Administrator, United States Agency for International Development
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Joint Staff Director for Intelligence, J2, Vice Chairman of the Joint Chiefs of Staff