

**SUPPORTING STATEMENT FOR THE
PERSONNEL VETTING QUESTIONNAIRE (Replacing SF86, SF 85P, SF 85P-S,
SF 85)
OMB #3206-XXXX**

Justification:

1. **Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

The Office of Personnel Management (OPM) is proposing to consolidate the currently approved information collection of Common forms known as the Standard Form 86, Questionnaire for National Security Positions [3206-0005], the Standard Form 85P, Questionnaire for Public Trust Positions and the Standard Form 85P-S, Supplemental Questionnaire for Selected Positions [3206-0258], and the Standard Form 85, Questionnaire for Non-Sensitive Positions [3206-0261] into one form, the Personnel Vetting Questionnaire. OPM believes this will better align the ICR approval process. However, the respondents will continue to only fill out the respective questions associated with their position risk and sensitivity. The form will continue to be used in the personnel vetting framework to determine suitability for Federal employment, fitness to perform work for or on behalf of the Federal government, eligibility to occupy a national security sensitive position, eligibility for access to classified information, and/or eligibility for a Federal credential for access to Federal facilities or space and Federal logical systems.

OPM, or other authorized investigative agencies using this information collection, are authorized to request this information under Executive Orders 10577, 10865, 12333, 12968, 13467, and 13488, as amended; sections 3301, 3302, 9101, and 11001 of title 5, United States Code (U.S.C.); sections 272b, 290a, and 2519 of title 22, U.S.C.; section 1537 of title 31, U.S.C.; sections 1874, 2165 and 2201 of title 42, U.S.C.; chapter 23 of title 50, U.S.C.; section 20132 of title 51, U.S.C.; section 925 of Public Law 115-91; parts 2, 5, 6, 731, 736, and 1400 of title 5, Code of Federal Regulations (CFR); and Homeland Security Presidential Directive (HSPD) 12. Section 1104 of title 5 allows OPM to delegate personnel management functions to other Federal agencies, with the provision that it must also establish standards applicable to the exercise of the function and exercise oversight of compliance with applicable law.

2. **Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The Personnel Vetting Questionnaire is an information collection completed by applicants for, or incumbents of, Federal Government civilian or military positions, or positions in private entities performing work for or on behalf of the Federal Government under contract. The collection is used as the basis of information by the Federal Government in conducting personnel vetting background investigations,

reinvestigations, and continuous vetting, as appropriate. It is also used by agencies in determining whether a person performing work for or on behalf of the Federal Government under a contract should be deemed eligible for logical or physical access for the nature of the work. The Personnel Vetting Questionnaire is completed by civilian employees of the Federal Government, military personnel, and non-Federal employees, including employees of Federal contractors and individuals otherwise not directly employed by the Federal Government but who perform work for or on behalf of the Federal Government or will require access to classified information. For applicants for civilian Federal employment, the Personnel Vetting Questionnaire is to be used only after a conditional offer of employment has been made.

The Personnel Vetting Questionnaire will replace existing forms (SF 86, 85P, 85P-S and SF85). In comparison to the content of the current investigative questionnaires, the content of each part of the Personnel Vetting Questionnaire uses more plain language to collect information from the respondents and provides additional explanations to the respondents regarding the reasons for the questions. To the extent practicable, the framing of more complex questions has been simplified and avoids “double-barreled” questions. While some questions in Part A have been expanded to cover a greater scope of time, the overall effect of streamlining the collection into parts that build upon each other in support of the Trusted Workforce investigative standards is a general reduction in the scope of time covered by the questions.

The Personnel Vetting Questionnaire will also be used to transition from traditional periodic reinvestigations to U.S. Government-wide Continuous Vetting (CV), as defined in E.O. 13467, as amended. CV involves reviewing the background of an individual, via automated records, at any time during their affiliation with the government to determine whether they continue to meet applicable trust determination requirements for eligibility to occupy a national security sensitive position, suitability and/or fitness eligibility, and eligibility for physical and logical access.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The Personnel Vetting Questionnaire is a standard form used for collecting subject data to be used in official background investigations conducted by the U.S. Government. It will primarily be offered as a web-based system application. This electronic data collection tool provides immediate data validation to ensure accuracy of the respondent’s personal information.

The Personnel Vetting Questionnaire automates the data collection process from the respondent, applies all required data editing rules to the respondent-supplied information, enforces data integrity, and provides sponsoring agencies an automated

capability to review and approve each respondent's submission before releasing the data to an investigative services provider (ISP).

A respondent's complete and certified investigative data will remain secured in system to be continuously vetted, as described under Question #2 in this Supporting Statement, or until the next time the respondent is sponsored by an agency to complete a new investigative form, usually due to the respondent applying for another job with a different/high risk/tier level. Upon initiation, the respondent's previously entered data (except 'yes/no' questions) will populate a new investigative request and the respondent will be allowed to update their information and certify the data. In this instance, time to complete the form is reduced significantly.

The electronic application includes branching questions and instructions which provide for a tailored collection from the respondent based first on the risk/tier level designated for the position, then on varying factors in the respondent's personal history. The burden on the respondent is reduced when the respondent only has to answer questions designated necessary for employment as well as when the respondent's personal history is not relevant to a particular question. The question branches, or expands for additional details, only for those persons who have pertinent information to provide regarding that line of questioning. Accordingly, the burden on the respondent will vary depending upon how the information collected relates to the respondent's job designation and personal history.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

Information collected on the Personnel Vetting Questionnaire is specific to the individual and thus not readily available from other sources, thus minimizing the likelihood of duplication.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Not applicable. This collection of information does not affect small businesses or other small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The Personnel Vetting Questionnaire is used to initiate background investigations required by Executive Orders 10577, 10865, 12333, 12968, 13467, and 13488, as amended; sections 3301, 3302, 9101, and 11001 of title 5, United States Code (U.S.C.); sections 272b, 290a, and 2519 of title 22, U.S.C.; section 1537 of title 31, U.S.C.; sections 1874, 2165 and 2201 of title 42, U.S.C.; chapter 23 of title 50, U.S.C.; section 20132 of title 51, U.S.C.; section 925 of Public Law 115-91; parts 2, 5,

6, 731, 736, and 1400 of title 5, Code of Federal Regulations (CFR); and Homeland Security Presidential Directive (HSPD) 12. The collection is used as the basis of information by the Federal Government in conducting background investigations, reinvestigations, and continuous vetting, as appropriate. It is also used by agencies in determining whether a person performing work for or on behalf of the Federal Government under a contract should be deemed eligible for logical or physical access when the nature of the work deems it necessary. The information is necessary for investigating agencies to comply with Federal Investigative Standards for such background investigations. If the collection is not conducted, agencies cannot comply with E.O. 12968 and 13467, as amended. The collection cannot be made less frequently as it is the basis for initial background investigations and continuous vetting and supports the individuals' mobility to higher level positions and to re-enter the Federal workforce, when applicable.

7. **Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.**

Not applicable. This information collection is in compliance with 5 CFR Part 1320.6.

8. **If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

This is a new information collection. The 60-day notice of the proposed information collection was published on November 23, 2022 (87 FR 71700). OPM received 55 submissions (5 of which were duplicate submissions) which could be broken out to roughly 283 comments. OPM has compiled the public comments in a spreadsheet for submission to OIRA. Comments or themes that were identified by multiple commenters or comments that may have required more explanation/clarification are addressed within the 30 Day FRN.

9. **Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The Personnel Vetting Questionnaire includes the required Privacy Act Information statement. The statement indicates that the forms are in full compliance with 5 U.S.C. § 552a (the Privacy Act of 1974) and other laws protecting the rights of the respondent. Further, the form notes that the information provided by the respondent, including the identity of the respondent, may be disclosed to the respondent upon request. For this request, updates to the Privacy Act Information Statement, Routine Uses, and the Disclosure Information paragraph within the Instructions previously in each SF form were consolidated to the PVQ but no changes were made.

In addition, the Personnel Vetting Questionnaire will include language describing to the respondent the purpose of the form and what to expect from the investigative process.

A person completing the forms is granted partial confidentiality under 5 U.S.C. § 552a and 5 CFR Part 736. The forms contain an *Authorization for Release of Information and Fair Credit Reporting Disclosure and Authorization*, signed by the person completing the form and, if applicable, *the Authorization for Release of Medical Information Pursuant to the Health Insurance Portability and Accountability Act (HIPAA)*. The authorization forms request that record custodians and sources of information contacted during the investigation provide requested data concerning the person being investigated. Individuals completing the forms are informed that information obtained from record custodians and other sources is for “official use by the Federal Government” and can be disclosed only as authorized by law. Data reported on these forms is subject to exemptions from release under the Freedom of Information Act.

For additional information regarding Electronic Questionnaires for Investigating Processing Privacy Impact Assessment and notification of OPMs’ revised system of records, please access the links provided below.

<https://www.opm.gov/information-management/privacy-policy/privacy-policy/eqip.pdf>

<https://www.gpo.gov/fdsys/pkg/FR-2016-10-11/html/2016-24507.htm>

For additional information on the Defense Counterintelligence and Security Agency’s Freedom of Information Act (FOIA) and Privacy Act policies and programs, please access the links provided below.

<https://www.dcsa.mil/contact/foia/foip/>

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why

the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The Personnel Vetting Questionnaire is an investigative tool. The form is designed to collect information appropriate for determining whether an individual is eligible for access to classified information; eligible for employment in sensitive position where the occupant could have a material adverse effect on the national security; suitable or fit based on character and conduct for employment or retention in a national security position in the Federal service; fit based on character and conduct or eligible for physical and logical access to federally controlled facilities or information systems, as an employee of a contractor, when the duties to be performed are equivalent to the duties performed by an employee in a national security position.

Generally after there is a conditional offer of employment, the form obtains data from individuals with which to initiate an investigation to inform the adjudicative requirements established by presidential directive for access to classified information; by agency heads for eligibility to perform national security position duties or for fitness for employment in the excepted service or under contract; and by the Director of OPM for suitability or for eligibility for a personal identity credential. The questions represent an effort to obtain as much relevant and required information as possible directly from the person to be investigated, in accordance with provisions of the Privacy Act.

Questions on the Personnel Vetting Questionnaire that may be considered sensitive in nature are listed and explained below:

- Psychological and Emotional Health: Inquiry as to whether a court or administrative agency has ever issued an order declaring the respondent mentally incompetent, whether a court or administrative agency has ever ordered the respondent to consult with a mental health professional, whether the respondent has ever had to seek emergency care for a mental health condition. These questions are necessary to satisfy the adjudicative guidelines that apply to determinations of an individual's judgment or reliability in order to be eligible for Federal employment in a national security position or for eligibility for access to classified information.
- Criminal Conduct: Inquiry into criminal history, including details regarding criminal conduct, arrests, and convictions is appropriate for national security positions and for an adjudicative decision regarding suitability or fitness for Federal or contract employment. This information is also necessary to make accurate and complete checks of investigative files.
- Illegal Use of Drugs or Drug Activity: Inquiry into illegal drug use is appropriate for national security positions and for an adjudicative decision regarding suitability or fitness for Federal or contract employment.

- Use of Alcohol: Inquiries into use of alcohol is appropriate for national security positions and for an adjudicative decision regarding suitability or fitness for Federal or contract employment.

- Financial Record: Inquiry into personal finances is appropriate for national security positions. For determinations of regarding suitability or fitness for a position, inquiry into an individual’s honesty with regard to efforts to satisfy financial obligations may be made.

- Association Record: Inquiry into detailed information pertinent to a respondent’s involvement in terrorist organizations, association with persons involved in activities to further terrorism and/or to overthrow the U.S. Government by force or violence is appropriate for national security positions and for an adjudicative decision regarding suitability or fitness for Federal or contract employment.

The instructions on the Personnel Vetting Questionnaire inform the respondent of the reason that the information is requested, the authority for requesting it, how it will be used, and to whom it may be disclosed. They describe the investigative process and inform the respondent that the Federal agency requesting the investigation will make the final determination.

12. Provide estimates of the hour burden of the collection of information.

Form Name	OMB Number	PVQ Part	No. of Respondents	No. of Responses per Respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)	Average Hourly Wage Rate	Total Annual Respondent Cost
SF 86	3206-0005	Part A, B & C						
SF 85	3206-0261	Part A						
SF 85 P, 85P-S	3206-0258	Part A, B & D						
SF 85P	3206-0258	Part A & B						
Total			5,258	1	2.33	12,844	\$22.00	\$282,568

It is estimated that 5,258 potential OPM Federal and non-Federal individuals will complete the Personnel Vetting Questionnaire annually for investigations. The Personnel Vetting Questionnaire takes approximately 140 minutes on average to complete. The PVQ will replace the prior SF 85, SF 85P, and SF 86 collections, as shown above.

As a reminder, the Personnel Vetting Questionnaire will automatically be populated with a question bank based on the low, medium, or high investigative risk/tier of the position as well as includes branching questions and instructions which provide for a tailored collection from the respondent based on varying factors in the respondent's personal history. The burden on the respondent will vary depending on whether the information collection relates to the respondent's personal history.

All Federal agencies using the form may request the use of this common form without additional 60-day or 30-day notice and comment requirements. Each agency will account for its number of respondents and the burden associated with the agency's use. Note that DCSA will make the form available on the National Background Investigation Services system as a service called eApp for their customer agencies and agencies that are authorized to conduct their own investigations.

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.

Type of Respondent	Form Name	No. of Respondents	Total No. of Responses	Avg. Burden per Response (in hours)	Hourly Wage Rate	Total Respondent Costs
Applicants and Federal Contractors	PVQ	5,258	1	2.3	\$27.07	327,368.00

The estimated total cost to respondents is \$327,368.00. This is based on an estimated hourly wage of \$27.07/hour using the all occupations, non-managerial line item. The salary estimates were based on [U.S. Department of Labor estimated mean hourly rates](#) in the United States in May 2020.

No other costs, including capital or maintenance costs, will be incurred by respondents, beyond their time.

14. Provide estimates of annualized cost to the Federal Government. Also provide a description of the method used to estimate cost which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff) and any other expenses that would not have been incurred without the paperwork burden.

The Personnel Vetting Questionnaire is the information collection that serves as the basis for the investigation of all individuals working for or on behalf of the government. The estimated annual cost to the Federal Government to perform investigations commensurate with this collection is \$1,040,729,264. This estimate was derived from the cost to conduct investigations.

Investigative Tier	Average Number of Submissions (OPM Federal and Non-Federal)	Cost per investigation according to tier	Total Annual Cost
Low Tier	604	\$148	\$89,392
Medium Tier	2,807	\$585	\$1,642,095
High Tier	1,847	\$4,255	\$7,858,985
			\$9,590,472

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

Not applicable as this is a new form.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Not applicable. Information collected on the forms will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

Not applicable.