

## SUPPORTING STATEMENT

### A. JUSTIFICATION

#### 1. Need for Information Collection

Sections 504, 505, 508, and 12102, Title 10, U. S. Code, establishes minimal standards for enlistment into the Armed Forces (Atch 1). Among other items, these sections specifically prohibit the enlistment of those convicted of a felony. The Services have therefore developed standards which address the acceptability for Service persons with police records, adverse juvenile adjudication's, or court convictions. The standards are designed to screen out categories of persons who have probability of either becoming serious disciplinary problems or may not be able to adjust to the disciplinary demands of the Armed Forces. This information collection is needed to identify persons who may be undesirable for military service. The existence of a police record is one of the factors considered in establishing eligibility for enlistment or entry into highly sensitive career fields. Therefore, verification data from the individual and law enforcement agencies must be obtained before enlistment can occur.

#### 2. Use of Information

The primary purpose of this information is to identify individuals who may be undesirable for military service. This information collection also supports a congressionally-mandated program to reduce premature discharges (e.g., individuals requiring a waiver for non-misdemeanors attrit at a higher rate then those who have no offense history). The respondent is the state, local police or law enforcement agency for which the inquiry is directed. The form associated with this information collection is the DD Form 369, "Police Records Check" (Atch 2). It is used by recruiters to inquire on applicants backgrounds prior to acceptance to the Armed Forces, when in the judgment of the recruiter, an applicant may be withholding information of a prior offense history. The recruiter utilizes this information provided by law from the law enforcement agency to determine an applicant's general enlistment eligibility and to identify individuals who may be undesirable for military service. This information is extracted at the law enforcement agency by either computer or a card file. This information is maintained as confidential and is utilized currently as a screening tool for recruits, it is stored in their personnel file and is destroyed within 3-6 months after enlistment or rejection from Service.

The data which has been collected over the past three years has allowed recruiters to process qualified applicants who meet the acceptable entry standards for the Armed Forces and assisting in the reduction of the attrition rate for basic trainees.

#### 3. Improved Information Technology

The Department has determined that the DD Form 369 is appropriate for electronic generation. The DD Form 369 is available to the public on the DoD Electronic Forms Website in Fillable Adobe PDF files, and initial completion at the recruiting station

of applicant's information occurs electronically. However, full implementation of electronic transmission and digital signatures, as required under the GPEA, is not yet possible due to the unavailability of electronic connections (standardized hardware and/or software) between Federal and state/local government agencies at this time. Strategic planning has occurred and research and development has begun on ongoing initiatives, including biometrics. Progress is contingent upon funding of these ongoing initiatives.

#### 4. Efforts to Identify Duplication

A review of this information collection by each Service Recruiting Command resulted in no findings of duplicate information, records, or reporting. No similar information or verification procedures currently exist that can be used for this information.

#### 5. Methods Used to Minimize Burden on Small Entities

The collection of information does not involve small businesses or other small entities.

#### 6. Consequence of Not Collecting the Information

If collection of information ceased, the ability to meet determination for enlistments as required by law for prior offense history could not be met.

#### 7. Special Circumstances

This collection of information is not conducted under special circumstances; the respondent is asked questions by the recruiter and the form is completed one time. The information is utilized for none other than enlistment purposes by the Department of Defense. No requirements are placed on the respondent after providing the information and the personal information collected is kept confidential to the qualification process and the individual's military record.

#### 8. Agency 60 Day Federal Register Notice and Consultations Outside the Agency

The 60-day Federal Register Notice announcing this information collection (as required by 5 CFR 1320.8(d)) was published on July 31, 2006, page 43136. No comments were received in response to this collection. Copy of the Notice is attached (Atch 3). This information collection was also reviewed by designated representatives from each Service Department Headquarters and Recruiting Commands.

#### 9. Payments to Respondents

No payments, gifts, or guarantees are made to respondents who provide this information.

#### 10. Assurance of Confidentiality

Respondents are advised that statements will be held in strictest confidence. The forms are maintained in personnel records and are seen only by individuals who have a need to verify information contained on the form. The Privacy Act statement is contained on the DD Form 369.

#### 11. Sensitive Questions

a. Gender and race/ethnicity and social security numbers are asked to confirm identity of the respondent. The uniqueness of the SSN allows proper validation of data across several state, local, and federal systems and ensures that the right information is provided for the purposes of moral qualification. Failure to provide information or providing incorrect information could have a detrimental affect on the Armed Services moral qualification process. Since law enforcement agencies may have several persons with the same name, distinguishing characteristics, including gender/race and ethnicity, are asked so law enforcement agencies can ensure the valid identify of the applicant before they release prior offense history to the Military Services.

#### 12. Estimates of Annual Response and Burden and Labor Cost for Hour Burden to the Respondent for Collection of Information

##### a. Response Burden:

Total Annual respondents	175,000
Frequency of response	1
Total annual response	175,000
Burden for response	27 minutes
Total Burden Hours	78,750

b. Explanation of How Burden was Estimated: Burden estimate of 27 minutes for processing the DD 369 verified telephonically by a local law enforcement agency.

b. Cost to Respondents. There is a labor cost to the respondent to fill out this form or to manually annotate the date on the form from law enforcement agencies' card files or process computer copies of the data. The requirement estimated for a clerk to look up the information on a computer screen and print out the information and send out the form has been estimated at:

$$\begin{aligned} \$17.49/\text{hr.} \times 27 \text{ minutes} &= \$7.87 \text{ per form.} \\ 175,000 \text{ respondents @ } \$7.87 &= \$1,377,250 \end{aligned}$$

#### 13. Estimates of Cost Burden for the Respondent for Collection of Information

a. Total Capitol and Start-up Costs. There is no capitol or set up cost associated with this information collection. Respondent will utilize systems currently in place to identify data requested not only from the government but other law enforcement agencies and other public and private agencies.

b. Operational and Maintenance Costs.

Of the 175,000 DD Forms 369, "Police Record Check," that are verified and completed by law enforcement agencies, 10% has a computer-generated copy of the police record attached to the request.

17,500@ .10/page (paper cost) = \$1750  
17,500 X \$5.60 (computer time) = \$98,000

Total O&M cost to respondent: \$99,750

14. Estimate of Costs to the Federal Government

a. Work load requirements.

1. E-5-E7 hourly pay = \$15.08 @ 3 minutes/form	\$ .75
2. GS-05/ Step 05 hourly pay \$13.68 @ 3 min/form	\$ .68
3. Printing @ .10cents per form	\$ .10
4. Cost of postage	\$ .85
Cost to the Federal Government per respondent	\$2.38
Total Federal Government costs (175,000 X \$2.38)	\$416,500

15. Changes in Burden

The increase in estimated burden hours is due to additional recruiting required due to a decrease in propensity to enlist and the increase in recruiting missions of the Armed Services. Increase in cost is an adjustment to correct mathematic/computation error in previous reporting.

16. Publication Plans/Time Schedule

Results of this information collection will not be published.

17. Approval Not to Display Expiration Date

Approval not to display the expiration data is not being sought.

18. Exceptions to the Certificate Statement

No exceptions to the certification statement are being sought.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not employed for this collection of information.