

## SUPPORTING STATEMENT

### A. Justification

1. All persons interested in entering the U.S. Navy/U.S. Navy Reserve in a commissioned status must provide various personal data in order for a Selection Board to determine their qualifications for naval service and for specific fields of endeavor which the applicant intends to pursue. Title 10, USC 591 establishes the qualifications to become an officer of a reserve component. Title 10, USC 600 provides information on enlisted Reservists to be selected for training as officer candidates. Title 10, USC 2107 establishes the qualifications for financial assistance for specially selected members. Title 10, USC 6019 establishes that officers of vessels must be U.S. citizens.

2. Information is provided by the applicant and used by a Selection Board to determine applicant's qualifications for a commission.

3. The burden involved in this collection of information consists of the time required for prospective applicants to complete a four page application. The time for the prospective applicant to respond should be no more than 30 minutes. Information can be provided by the applicant only. Form is available electronically.

4. A complete review of forms used for officer processing of applicants was conducted in conjunction with this report to ensure that there was no duplication. The information provided is not previously available elsewhere.

5. This collection of information does not impact small businesses or other small entities.

6. Collection of information is based on an individual's desire to apply for a commission and the need to adequately man the U.S. Navy and U.S. Navy Reserve. Without this information there would be no basis by which to evaluate this applicant for commission. Information is collected on an "on occasion" basis; therefore, it is not possible to reduce the frequency of collection.

7. There are no special circumstances for this collection. Collection is consistent with the guidelines in 5 CFR 1320.5(d).

8. A copy of the notice published in the Federal Register (Vol. 71, No. 227, p. 68568, dated 27 November 2006) is attached. No public comments were received. The Application for Commission in the U.S. Navy/U.S. Navy Reserve formerly entitled the Application for Commission or Warrant Rank, USN or USNR has been developed by persons knowledgeable of Navy requirements to determine the qualifications of applicants.

The title of this form has been changed due to the fact that the Navy and Navy Reserve do not enlist non prior service individuals into the Warrant officer program. The NAVCRUIT form number was also changed to more correctly reflect the Standard Subject Identification Code for officer recruiting. The Selection Board and Navy recruiters hold periodic discussions with applicants to obtain their input regarding the data requested, and there have been no complaints about the application.

9. No payment or gift will be provided to respondents.

10. Information is collected on a continual basis and is not reported or published. Applicants are informed in writing (through the Privacy Act Statement on the form) that the request for information is covered under the Privacy Act, and that it will be used only in evaluating their suitability for a commission in the U.S. Navy or U.S. Navy Reserve. If the applicant is commissioned, the information is retained in the applicant's service record. If the individual is rejected and not commissioned in the Navy, the information is destroyed.

SSN: All Navy pay and benefits systems are based on an individual's Social Security Number. This information is only used internally to identify each military individual. When a Leave and Earnings statement or other such document is printed for distribution, the SSN is truncated only revealing the last four digits.

Race and Ethnicity: This information is requested in order to fill and track our requirements for the added emphasis on Diversity Recruiting. This information is not publicized nor is it available externally; however, the statistics are used when reporting our recruiting results to senior echelon commanders, Congress, etc.

Drug and Alcohol History - the authority to collect criminal history records is codified at 5 United States Code Service section 9101. Text of statute is below. In regards to an

"affirmative response could result in a criminal charge" - this information is gathered for National Security and acceptance into the Armed Forces purposes, see paragraphs (b)(1) and (d), and this information is not routinely released to law enforcement.

5 USCS § 9101. Access to criminal history records for national security and other purposes

(a) As used in this section:

(1) The term "criminal justice agency" means (A) any Federal, State, or local court, and (B) any Federal, State, or local agency, or any subunit thereof, which performs the administration of criminal justice pursuant to a statute or Executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice.

(2) The term "criminal history record information" means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, sentencing, correction supervision, and release. The term does not include identification information such as fingerprint records to the extent that such information does not indicate involvement of the individual in the criminal justice system. The term does not include those records of a State or locality sealed pursuant to law from access by State and local criminal justice agencies of that State or locality.

(3) The term "classified information" means information or material designated pursuant to the provisions of a statute or Executive order as requiring protection against unauthorized disclosure for reasons of national security.

(4) The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, and any other territory or possession of the United States.

(5) The term "local" and "locality" means any local government authority or agency or component thereof within a State having jurisdiction over matters at a county, municipal, or other local government level.

(6) The term "covered agency" means any of the following:

(A) The Department of Defense.

(B) The Department of State.

(C) The Department of Transportation.

(D) The Office of Personnel Management.

(E) The Central Intelligence Agency.

(F) The Federal Bureau of Investigation.

(b) (1) Upon request by the head of a covered agency, criminal justice agencies shall make available criminal history record information regarding individuals under investigation by that covered agency for the purpose of determining eligibility for any of the following:

(A) Access to classified information.

(B) Assignment to or retention in sensitive national security duties.

(C) Acceptance or retention in the armed forces.

(D) Appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the Government or performing a Government contract.

(2) Such a request to a State central criminal history record repository shall be accompanied by the fingerprints of the individual who is the subject of the request if required by State law and if the repository uses the fingerprints in an automated fingerprint identification system.

(3) Fees, if any, charged for providing criminal history record information pursuant to this subsection shall not exceed the reasonable cost of providing such information.

(4) This subsection shall apply notwithstanding any other provision of law or regulation of any State or of any locality within a State, or any other law of the United States.

(c) A covered agency shall not obtain criminal history record information pursuant to this section unless it has received written consent from the individual under investigation for the release of such information for the purposes set forth in paragraph (b)(1).

(d) Criminal history record information received under this section shall be disclosed or used only for the purposes set forth in paragraph (b)(1) or for national security or criminal justice purposes authorized by law, and such information shall be made available to the individual who is the subject of such information upon request.

(e) (1) Automated information delivery systems shall be used to provide criminal history record information to a covered agency under subsection (b) whenever available.

(2) Fees, if any, charged for automated access through such systems may not exceed the reasonable cost of providing such access.

(3) The criminal justice agency providing the criminal history record information through such systems may not limit disclosure

on the basis that the repository is accessed from outside the State.

(4) Information provided through such systems shall be the full and complete criminal history record.

(5) Criminal justice agencies shall accept and respond to requests for criminal history record information through such systems with printed or photocopied records when requested.

(f) The authority provided under this section with respect to the Department of State may be exercised only so long as the Department of State continues to extend to its employees and applicants for employment, at a minimum, those procedural safeguards provided for as part of the security clearance process that were made available, as of May 1, 1987, pursuant to section 163.4 of volume 3 of the Foreign Affairs Manual.

11. No information of a sensitive nature is required on the referenced application.

12. Estimates of information collection burden:

|                        |            |
|------------------------|------------|
| Number of respondents: | 14,000     |
| Response time:         | 30 minutes |
| Response frequency:    | one time   |
| Annual burden:         | 7,000      |

This estimate is calculated through experience. The individual burden on applicants will not vary widely. All applicants fill in the same information.

The annual cost burden will be \$21,651. Costs were calculated as burden hours (7,000) x average wage rate/hr. (\$30.93). Average wage rate/hr. was estimated from salaries of selection board personnel.

13. There will be no additional cost burden to the respondent.

14. Estimates of annualized costs to Federal Government:

|                 |          |
|-----------------|----------|
| Personnel:      | \$51,550 |
| Operating Costs |          |
| Equipment:      | None     |
| Overhead:       | None     |
| Paper/Printing: | \$1,000  |
| Mailing:        | None     |
| Total:          | \$52,550 |

Personnel time (5 minutes each at \$30.93 per hour) = Government personnel costs. There are no overhead costs. Printing costs are actual costs.

15. This is a revision of a previously approved collection (formerly NAVCRUIT 1100/11 now identified by NAVCRUIT 1131/2 (Rev 1-06)). Form changed due to fact non prior service individuals are not enlisted into Warrant officer program. Number of respondents increased by 4000; however, response time was reduced by 25 minutes.

16. The results of this information collection will not be published.

17. Approval is not sought for avoiding display of the expiration date for OMB approval.

18. There will be no exceptions to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

#### B. Collections of Information Employing Statistical Methods

The collection of this information does not employ statistical methods.