

## SUPPORTING STATEMENT

### A. JUSTIFICATION

#### 1. Need for Information Collection

Title 10 United States Code (USC), Sections 504, 505, 508 and 12102 establish minimum standards for enlistment in the Armed Forces. This information collection is needed to obtain additional information on individuals applying for enlistment in the Armed Services who require a waiver to enlist. Information requested is necessary to determine eligibility for enlistment and identify undesirable individuals. Additionally, this collection is supportive of certain youth employment programs, as it is also needed for certain categories of disadvantaged youth who would not normally be eligible to enlist. Therefore, verification data from the reference must be obtained before an enlistment waiver can occur.

#### 2. Use of Information

The purpose of this information collection is to verify the data given by the applicant, determine his/her qualification for enlistment, and to request a waiver, if applicable. DD Form 370 includes comments on character and past behavior and serves as a pre-accession tool to screen applicants. The form is initiated by the recruiter for applicants requiring a waiver for civil or moral offense (s). The determination of the need of a waiver may be based upon information presented by the applicant, found on the applicant's file, or when applicants, in the judgment of a recruiter, may be withholding information.

Persons solicited for reference information should be familiar with the applicant's character. Respondents can include individuals who are related to, or have knowledge of, the applicant's background; state or local agencies; employers; and businesses that can provide a personal evaluation of the applicant's potential to adapt successfully to military service. Completion of the DD Form 370 is voluntary. The information obtained is maintained in compliance with the Privacy Act of 1974.

Since the institution of this form, the information collected has been used by DoD to verify enlistment eligibility/acceptability for military enlistment and to identify applicants who may not be acceptable for military enlistment.

#### 3. Improved Information Technology

The Department has determined that DD Form 370 is appropriate for electronic generation. DD Form 370 is available to the public on the DoD Electronic Forms Website in Fillable Adobe PDF files; 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 Government Paperwork Elimination Act (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. In addition, this form is also completed by individuals and agencies outside the government that may not have the capability to receive, enter data, or return the form in an electronic version. Printed forms must be generated because of DoDs lack of universal electronic signature capability. However, the uses of faxes in secure or controlled areas and e-mails (with a scanned copy of a DD Form 370 as an attachment) to transmit the completed/signed forms is encouraged and accepted.

#### 4. Efforts to Identify Duplication

The Joint Service Forms Working Group, comprised of representatives from each Service's Recruiting Command, conducted a review of this information collection and indicated that there is no duplication of information. DD Form 370 is the only request for reference for applicants requiring a waiver.

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

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

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

If collection were stopped, the Department's ability to determine if moral waivers are needed would be hindered. Subsequently, this would affect enlistment into the military.

#### 7. Special Circumstances

Collection is not conducted in a manner inconsistent with the guidelines in Code 5 of Federal Regulations (CFR) 1320.5 (d)(2).

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

The 60-day Federal Register Notice announcing this proposed information collection (as required by 5 CFR 1320.8(d)) was published on June 2, 2008, vol 73, No. 106, and pages 31437-31438. No comments were received in response to this Notice.

This information collection and the DD Form 370 were reviewed by the Joint Service Forms Working Group. The committee recommended the removal of the SSN from the form to be in compliance with OMB directives to safeguard Personal Identifiable Information (PII). A review by Ms. Cindy Allard, from the Privacy Act Office, OSD (703-696-3075); concluded that a Privacy Act Statement was not necessary on DD Form 370. Instead, a more appropriate caution regarding the contents of the form

is the insertion of the following statement: "This document contains information subject to the Privacy Act of 1974 as amended". This statement was placed where the PAS used

to be located.

#### 9. Payments to Respondents.

There is no payment, gift, or guarantee made to respondents who provide this information.

#### 10. Assurance of Confidentiality.

This information collection does not ask the respondent to submit proprietary, trade secret, or confidential information to the Department.

The recruiter receives the information and uses it to verify data given by the applicant and to determine his/her qualification for enlistment. The information is stored at the local recruiting headquarters and destroyed approximately one year after enlistment or rejection of enlistment. The information is accessible to the recruiter and investigative officer on an as needed basis. All data is protected by the Privacy Act of 1974.

All applicants are required to sign privacy act statements before collecting or providing personal information. The Services have System of Record Notices in place that permits collection of data from the public for recruiting purposes. Appropriate System of Record Notices for military systems that are tied to applicant processing are provided.

Recruiters are careful to ensure DD Forms 370 are either hand carried to the employer, school official, etc. , or mailed to these individuals in sealed envelopes. The forms are never given to the applicants for delivery to those persons who will provide character references. Additionally, the Services provide a cover memorandum to accompany the DD Form 370 explaining the importance of providing accurate and complete character reference information. A stamped addressed envelope is provided for returning the complete forms to maximize the returns of this form. Recruiting Stations ensure fax machines are in a secure area away from public view because of the personal and sensitive information that is contained on documents that comprise the applicant's files. Any scanned, e-mailed documents go to a secured computer system-accessible only by the recruiter.

Each Recruiting Service ensures that its recruiters are trained on the handling and protection of privacy act information and are aware of the huge responsibility to keep such information in strict confidence.

#### 11. Sensitive Questions.

Questions 15-18 ask the respondent to rate the applicant's character and provide information about the applicant's eligibility for enlistment. These questions help recruiters discern whether the applicant is eligible for military service. These questions also help recruiters identify individuals who are undesirable for military enlistment. Without these questions, the military services could enlist undesirable individuals, who

likely will be involved in in-service criminal behaviors or who will leave the service prematurely for unsuitable reasons.

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

A. Response Burden for DD Form 370.

Total annual respondents:	50,000
Frequency of response:	1
Total annual responses:	50,000
Burden per response:	.083 hour (5 minutes)
Total burden hours:	4,150 hours

B. Explanation of How Burden was Estimated.

The burden estimate of .083 hour (5 minutes) was verified by Services Recruiting Command representatives on the Forms Committee and prior estimates for use of this form.

C. Labor Cost to Respondent.

Respondents estimated hourly average pay of  
\$18.00 (with inflation) X .083 (5 minutes) = \$1.49 PER FORM  
50,000 Respondents @ \$1.49 per form = \$74,500

TOTAL ANNUAL COST = \$74,500

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

A. There is no capital or start-up costs associated with this information collection. Respondents will not need to operate or maintain equipment or services to respond to this information collection.

B. Operation and Maintenance Cost.

There is no O&M cost to the respondents who complete DD Form 370.

14. Estimates of Cost to the Federal Government.

Cost to Print Form:

50,000 forms at \$.07 per form (approx cost with inflation) \$3,500

Cost to Process Form:

E-6 estimated hourly average pay of (annual DoD composite)  
\$37.57 X 0.25 (15 minutes) = \$9.39 per form  
50,000 forms @ \$9.39 per form \$469,500

Cost to Mail Form:

35,000 mailings at \$0.42 X 2 mailings \$29,400

*Note: This number accounts for a 30% reduction for faxing and e-mailing of completed forms instead of mailing.*

15. Changes in Burden.

Each Service's Recruiting Command representative was contacted in an effort to obtain approximate DD Form 370 usage on an annual basis. The decrease in burden reflects a decrease in the number of respondents and the amount of time to complete the form.

16. Publication Plans/Time Schedule.

The results of this information collection will not be published.

17. Approval Not to Display Expiration Date.

Approval not to display an expiration date is not being sought.

18. Exceptions to the Certification Statement.

No exceptions to the certification statement are being sought.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not employed for collection of this information.