

Supporting Statement for SF 87 and SF 87A

1. Executive Order 10450, as amended, requires that investigations be conducted on all persons entering Federal service. E.O. 10450, as amended, also requires that each investigation include a check of the Federal Bureau of Investigation's (FBI) fingerprint files to identify any criminal records on the subject. Although roughly 60% of all submissions are received electronically, the need remains to conduct checks based on hardcopy requests. The Standard Form (SF) 87 and SF 87A are fingerprint charts submitted to the FBI in order to fulfill that part of the background investigation.
2. The subject's information is collected on SF 87 or SF 87A, and then submitted to the FBI, Identification Division, for what is understood to be a full search of their fingerprint files. The fingerprints on the SF 87 and SF 87A are scanned automatically for identification purposes. The FBI retains the forms in their files.

For hardcopy requests, if the information submitted to the FBI is not collected on the SF 87 or SF 87A, the FBI cannot guarantee a fully accurate technical search of their fingerprint files.

3. Executive Order 10450, as amended, requires a check of the FBI files with each request for a background investigation. Fingerprint cards are also submitted and processed through electronic medium, the Integrated Automated Fingerprint Identification System (IAFIS). The full impact of electronic submission is still under study but roughly 60% of the fingerprints sent through the Office of Personnel Management (OPM) are entered electronically.
4. The only duplication may be a card already on file at the FBI.
5. Not applicable. SF 87 and SF 87A do not impact small businesses or other small entities.
6. The security of the Federal programs could be compromised if this information is not collected and OPM would not be able to comply with Executive Order 10450, as amended.
7. Each time an agency requests that the OPM initiate an investigation involving a National Agency Check, one copy of the SF 87 must be submitted with the request for investigation. Agencies with a special agreement with OPM and the FBI submit one copy of the SF 87A directly to the FBI. Collection of the information cannot be made less frequently because of the requirements in Executive Order 10450, as amended, and other authorities to check the FBI's fingerprint files.
8. The 60-day Federal Register Notice was published June 23, 2008 (Volume 73, Number 121, pages 35422-35423). We received one comment as a result of the 60-day Federal Register Notice, published in the Federal Register on June 23, 2008.

The comment was received from the Internal Revenue Service regarding contractor use of the SF 87 and SF 87A. However, contractors do not use the SF 87 and 87A – as they use the form FD 258. As a result, the Federal Register notice was updated to reflect this fact. We did not receive any comments related to the collection itself. Therefore, we determined that this collection of information continues to be necessary for the proper performance of functions of the OPM and the Federal Investigative Services Division, which administers its background investigations. Further, we maintain that our estimate of the public burden of this collection of information is accurate and based on valid assumptions and methodology.

9. OPM does not provide any payments or gifts to individuals. Compliance with the request for fingerprints is voluntary.
10. The SF 87 and SF 87A include a Privacy Act Information statement. The statement indicates that they forms are in full compliance with 5 U.S.C. 552a(b) (the Privacy Act of 1974) and other laws protecting the rights of the respondent. Further, the forms note that the information collected on the form, and information collected during an investigation, may be disclosed without the respondent's consent, as permitted by the Privacy Act.
11. The information collection is limited to fingerprints and other descriptive information. This information is necessary to accurately match subjects with criminal records.
12. Based upon current usage provided, 196,540 total respondents are expected to complete the SF 87 or SF 87A each year with an average of five minutes required for each response. The estimated annual burden is approximately 16,380hours.
13. The process of fingerprinting applicants for Federal employment is the responsibility of the gaining agency. Most agencies elect to establish their own fingerprinting stations for this purpose. If an agency does not offer this service, the fee is the responsibility of the applicant and varies by locality. In a sampling across various localities in all 50 U.S. states, FISD arrived at an average of \$10.65, should the applicant incur the cost. The cost of providing the information is estimated to be \$2,093,151, based on an assumption that 100% of the 196,540 estimated applicants may be required to be fingerprinted at a local law enforcement entity and possibly be required to pay for the service of being fingerprinted. This fee averages \$10.65 nationwide (taking into account the range of state fees and some states that do not charge at all). Most Federal agencies have the capability to provide this service free of charge to their applicants, while some Federal agencies do not allow applicants to be printed anywhere other than a Federal agency. However, if the applicant does not reside in close proximity to a Federal facility, they may be required to go to a local law enforcement entity, where they may or may not be charged a fee for this service. It is also possible that an applicant may voluntarily choose, for the sake of convenience, to be fingerprinted at a local entity rather than go to an agency. There are limitations to these assumptions: the many logistical

variables, policies that vary by Federal agency and lack of reported data to support this population make it difficult to derive an accurate estimate. We expect to be able to provide a more accurate estimate when the ICR is up for review in 3 years time.

14. It is estimated that annual costs for processing both forms are \$50,000. Costs incurred for printing, stocking and other overhead costs are \$95,311.
15. The reported burden hours for these forms has decreased from the previous notice. The previous 30-day notice was based on numbers from several years ago and the methodology used is not clear, in terms of Federal and non-Federal respondents. In order to be report estimates in line with more recent timelines, for this notice we used Federal Employment statistics to determine Federal Accessions for FY 2008. The decision to use these particular statistics was based on the point in the hiring process in which applicants (non-Federal respondents) complete the SF 87 or SF 87A, which is after a tentative offer has been made, but before the applicant becomes a Federal employee.
16. Not applicable.
17. We are requesting that the expiration date not be displayed because it is not cost effective to revise and distribute new copies given that the changes made to these forms are ministerial and administrative in nature.
18. Not applicable.