

SUPPORTING STATEMENT
for
OMB 0704-0004, Application for the Review of Discharge from the Armed Forces of the
United States (DD Form 293)

A. JUSTIFICATION

1. Need for Information Collection.

Under 10 U.S.C. § 1553 and DoD Directive 1332.41, “Boards for the Correction of Military Records (BCMRs) and Discharge Review Board (DRBs),” former Service members who received an administrative discharge have the right to appeal the characterization or reason for separation, provided they do so within 15 years from the date of separation. This information collection is needed to provide Service members a method to present to their respective Service Discharge Review Boards their reason/justification for a discharge upgrade, as well as, providing the Services with the basic data need to process the appeal.

2. Use of Information.

The respondents for this information collection are former members of the Military Services requesting a change in the characterization of their discharge or the reason for their separation. Service members submit to their respective Service Discharge Review Board a DD Form 293, “Application for Review of Discharge from the Armed Forces of the United States”. The respective Service Discharge Review Board (DRB) uses the information from the DD Form 293 in processing the respondent’s discharge appeal authorized under 10 U.S.C. § 1553 and DoD Directive 1332.41. This information is used to identify the arguments of the respondents, and secure their Official Military Personnel Files from the National Records Center, and it allows the respondent to explain the reasons for the alleged error or injustice, designate counsel of choice, select the method of hearing desired, and request a records review or personal hearing. Information is also used to correspond with the respondent and counsel regarding his or her appeal.

Over the past three years, the information collected from the DD Form 293 has been used by the respective Service Discharge Review Boards to examine the propriety and equity of the respondents’ discharge and to recommend any changes, if warranted.

3. Improved Information Technology.

The DD Form 293 is available to the public electronically on-line from the Department of Defense forms website (<http://www.dtic.mil/whs/directives/infomgt/forms/forminfo/forminforpage2137.html>). For respondents who have access to computerized information technology, the DD Form 293 can be completed on-line before printing for signature. A signed DD Form 293 is required from each respondent that indicates the information provided is true and that the respondent has full knowledge of penalties involved for willfully making a false statement.

At this time, there is no practical or cost-effective way to completely implement the requirements of the Government Paperwork Elimination Act. It does not appear that the electronic signature is practical to use for the respondent's limited submission of a DD Form 293. There is an ongoing initiative within the Department of Defense to provide the capability to deploy public key infrastructure (PKI) for its issuance of certificate-based digital signatures. In the future, based on the outcome and requirements of the DoD PKI initiative, electronic signatures may be considered for use with the DD Form 293 if the burden and cost to the respondent is minimal.

4. Efforts to Identify Duplication.

There is no duplication. The DD Form 293 is used by all the Services for identical purposes. No similar information is readily available from which an individual appeal could be processed. The respondent must initiate the request and must provide personal information, including his or her name, address, social security number, branch of Service at discharge, discharge date, discharge characterization, unit and location at the time of discharge, change requested in and justification for change in discharge characterization or reason for discharge, whether he or she desires to appear before the Board, and supporting documentation for a discharge upgrade.

5. Methods Used to Minimize Burden on Small Entities.

Small business and other small entities are not involved.

6. Consequences of Not Collecting the Information.

The respondent initiates a request for review and upgrade of his or her discharge by completing the requested information on the DD Form 293 and submitting it to the respective Service Discharge Review Board. The form, which implements Congressional intent under 10 U.S.C. §1553, is essential. If the form was not used, or if the information was not collected, the respondents would be unable to appeal to their respective Discharge Review Boards to request a change in their characterization of discharge or reason for separation. Without this collection of information, DoD would be unable to comply with the current law, Congressional intent would be frustrated, and former Service members and the public would lose confidence in the fairness of the military's administration of its personnel system.

7. Special Circumstances.

There are no special circumstances. The data collections will be conducted in a manner consistent with guidelines in 5 C.F.R. 1320.5(d)(2).

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

Notice has been made in Volume 74, No. 136, pages 34730-34731, Federal Register, July 17, 2009. No public comments were received. Per Terms of Clearance in the Notice of OMB Action (NOA) dated 06/28/2010, this collection can be resubmitted without an additional 60-day

Federal Register Notice. Additionally, as noted in the NOA, revisions to the Routine Use(s) and Purpose sections of the Privacy Act Statement were made to the new draft form. The information collected for this requirement was coordinated with the individuals below.

Adair Petty, Director, ADRB, 703-607-2190
Timothy Sidbury, Director, NDRB, 202-685-6607
Wanda R. Langley, Director, AFDRB, 240-857-3504
Patrick Knowles, LCDR, Director, CGDRB, 202-475-5366

9. Payments to Respondents.

No payments or gifts will be made to respondents.

10. Assurance of Confidentiality.

All data are protected by the Privacy Act of 1974 and are protected according to the regulations therein, and by related DoD directives and instructions.

11. Personal Identifiable Information (PIA), Social Security Number (SSN), Sensitive Questions, System of Records Notices (SORNs), Privacy Impact Assessment (PIA).

PII: During the processing, records are maintained in areas accessible only to authorized personnel. All data are protected by the Privacy Act of 1974 and are protected according to the regulations therein, and by related DoD directives and instructions.

SSN: Collection of the full SSN is necessary because the various legacy military personnel systems use the SSN as a unique identifier. The DRB uses SSNs to identify and secure the appropriate official military and medical records from records storage facilities. The SSN cannot be truncated without the risk of misidentifying the member, nor can it be masked because the form is used in a paper format.

Sensitive Questions (i.e. race and ethnicity): No sensitive questions are asked in the collection. Respondents furnish only that information necessary to process his or her appeal.

SORNs:

Discharge Review Board Records:

Army (<http://privacy.defense.gov/notices/army/A0015-185SFMRa.shtml>)

Navy/Marine Corps (<http://privacy.defense.gov/notices/usn/N01000-2.shtml>)

Air Force (<http://privacy.defense.gov/notices/usaf/0F036AFPCD.shtml> and <http://privacy.defense.gov/notices/usaf/F036SAFPCB.shtml>)

Coast Guard (<http://edocket.access.gpo.gov/2008/E8-29793.htm>) (USCG is in process of amending SORN)

PIA: Per Mr. Gary Evans, NII/DoD-CIO, the PIA is on Federal employees and is in the review process and will be posted when available.

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

- a. Response Burden:
(1) DD Form 293

Total annual respondents:	8,000
Frequency of response:	1
Total annual responses:	8,000
Burden per response:	45 minutes
Total burden hours:	6,000 hours

- b. Explanation of How Burden was Estimated.

The 30 minutes per form response time was based on the time it took an Army Review Board Agency employee to complete an application.

- c. Labor Cost to Respondent.

$\$10.30/\text{hour}$ (we arbitrarily used 2 x the minimum wage) x 6,000 hours =
\$61,800.00.

13. Estimates of Cost Burden for the Respondents for Collection of Information.

- a. Total Capital and Start-up Cost.

There are no capital or start-up costs associated with this information collection. Respondents will not need to purchase equipment or services to respond to this collection.

- b. Operation and Maintenance Cost.

(1) Photocopy of supporting documentation (average number per submission):
4 pages at \$.10 per page = $\$0.40 \times 8,000$ applications = \$3,200.00

(2) Mailing of DD Form 293 and supporting documents:
8,000 x \$1.39 (postage) per application = \$11,120.00
8,000 x \$0.10 (envelope) per application = \$ 800.00
TOTAL ANNUAL RESPONDENT O&M COST= \$8,000.00

14. Estimates of Cost to the Federal Government.

a. Printing individual forms on Federal Government computer printers: 8,000 forms x \$0.42 cents per form (4 sides) =	\$3,360.00
b. Photocopying and word processing (paper, toner, machines) of form, supporting documentation, and decisional documents for mailing and archiving: 8,000 forms x \$4.94 per decision =	\$39,520.00
c. Mailing between offices and records repositories of form, records, advisory opinions, and decisional documents: 8,000 x \$2.21 per applicant =	\$17,680.00
d. Mailing decisional documents to respondents: 8,000 x \$.44 (postage) per decision = 8,000 x \$.10 (envelope) per decision =	\$3,520.00 <u>\$800.00</u>
TOTAL ANNUAL MATERIALS COST =	\$64,880.00

e. Labor Costs:

The following estimate involving labor costs is based on the personnel structure at the Army Discharge Review Board, which is similar to the other Services boards. Additionally, for each category, an average salary for the personnel was used to determine the hourly rate.

Examiner Staff: 4 staff at average \$33.65/hr x 7 hrs =	\$ 942.20
Support Staff: Screening and Processing 6 personnel at average \$15.65/hr x 6 hrs = Archiving and Promulgating 2 personnel at average \$19.51/hr x 1 hr = Mail Handling 2 personnel at average \$17.67 x ¼ hr = IT Technical Support 2 personnel at average \$28.29/hr x ¼ hr =	\$ 563.40 \$ 39.02 \$ 8.84 \$ 14.15
Board Members: 5 board members at average \$70.00/hr x ¾hr =	\$ 262.50
Total Labor Cost <u>Per Case</u>	= \$1830.11

TOTAL LABOR COST FOR 8,000 REPENDENTS \$10,269,426.77

f. TOTAL COST TO THE GOVERNMENT \$10,371,219.22

15. Changes in Burden.

No change in burden.

16. Publication Plans/Time Schedule.

Information is not tabulated or published. This collection of information does not employ statistical methods.

17. Approval Not to Display Expiration Date.

DoD is not seeking an exception to displaying the expiration date of this information collection.

18. Exceptions to the Certification Statement.

No exceptions to the certification statement are being requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS.

Statistical methods are not employed for collection of this information.