

SUPPORTING STATEMENT
For
OMB 0704-0003,
Application for Correction of Military Records
Under the Provisions of Title 10, U.S. Code, Section 1552 (DD Form 149)

A. JUSTIFICATION.

1. Need for Information Collection.

Under Title 10 United States Code § 1552, Active Duty and Reserve Component Service members, Coast Guard, former Service members, their lawful or legal representatives, spouses of former Service members on issues of Survivor Benefit Program (SBP) benefits, and civilian employees with respect to military records other than those related to civilian employment, who feel that they have suffered an injustice as a result of error or injustice in military records – hereafter referred to as respondents - may apply to their respective Boards for Correction of Military Records (BCMR) for a correction of their military records. These Boards are the highest level appellate review authority in the military. The information collected is needed to provide the Boards the basic data needed to process and act on the request.

2. Use of Information.

The respondents submit to the respective BCMR review Boards a DD Form 149, “Application for Correction of Military Record Under the Provisions of Title 10, U.S. Code, Section 1552”. The information from the DD Form 149 is used by the respective Service Review Boards in processing the respondent’s request authorized under 10 USC 1552. The DD Form 149 was devised to standardize application to these Boards. This information is used to identify and secure the appropriate official military and medical records from the records storage facilities. Information on the form is also used to determine current status, to allow respondents to designate counsel of choice, to identify the issues involved, and to determine if the request was filed within the three-year statute of limitations established by Congress.

Over the past three years, the information collected from the DD Form 149 has been used by the respective Service correction Boards to determine if an error or injustice has occurred in an individual’s military record and to promulgate a correction based on justice, equity, and compassion.

3. Improved Information Technology.

The DD Form 149 is available to the public electronically on-line from the Department of Defense forms website (<http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0149.pdf>). For respondents who have access to computerized information technology, the DD Form 149 can be completed on-line before printing for signature. A signed DD Form 149 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 149. 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 149 if the burden and cost to the applicant is minimal.

4. Efforts to Identify Duplication.

There is no duplication. The DD Form 149 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 appeal and must provide personal information, including name, address, social security number, and branch of service and, as appropriate, current grade, current status, organization at the time of the alleged error in the record, whether there is a desire to appear before the Board, a summary of the evidence submitted, the date of discovery of the alleged error or injustice, and, if applicable, the reason for failure to file within three years.

5. Methods Used to Minimize Burden on Small Entities.

Small businesses and other small entities are not involved.

6. Consequences of Not Collecting the Information.

This information is collected from the respondent on occasion. If this information was not collected or collected less frequently, respondents would be unable to apply to their respective BCMRs to request correction of alleged error contained in their military records and/or a correction of an injustice. Without this collection of information, DoD would be unable to comply with the current law.

7. Special Circumstances.

There are no special circumstances. The data collection will be conducted in a manner consistent with guidelines in 5 CFR 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 34728-34729, *Federal Register*, Friday, July 17, 2009. No public comments were received. The Service correction review boards are primary users of the information collected on the DD Form 149. Per Notice of OMB Action (NOA) dated 06/15/2010, this collection can be re-submitted without an additional 60-day Federal Register Notice. Revisions to the Supporting Statement and the DD Form 149 were

made in accordance with the OMB e-mail dated April 12, 2010. The information collected for this requirement was coordinated with the following individuals:

Adair Petty, Army	703-607-2190
Dean Pfeiffer, Navy	703-614-9800
Victor Donovan, Air Force	240-857-3116
Duane Hale, Coast Guard	202-447-0494
Lt. Col. Thomas Williams, OSD	703-697-3387

9. Payments to Respondents.

No payment or gifts will be made to respondents.

10. Assurance of Confidentiality; Protection of the Information.

The collected information is used to process a respondent's request. During the processing, records are maintained in areas accessible only to authorized personnel. The building employees and security guards control access to the information and do so in compliance with the Privacy Act of 1974 and OMB Circular A-108.

11. Personal Identifying Information, Sensitive Questions, SSN, SORN, PIA.

Personal Identifiable Information (PII): The paper forms are secured to protect Personal Identifiable Information (PII) in accordance with DoD regulations.

Sensitive Questions: No sensitive questions are asked in the collection. Respondents furnish only that information relevant and necessary to process their request.

Social Security Number (SSN): Collection of the service member's SSN provides the Boards for Correction of Military Records (BCMR) the basic data needed to process and act on the request. Collection of SSNs is necessary because the various legacy military personnel systems use the SSN as a unique identifier. The BCMR 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.

System of Records Notice (SORNs): The data collected is covered by the following SORNs:

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

Navy and Marine Corps (<http://privacy.defense.gov/notices/usn/NM01000-1.shtml>)

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

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

Defense Finance and Accounting Service
(<http://privacy.defense.gov/notices/dfas/T5015a.shtml>)

Privacy Impact Assessment (PIA):

USAF PIA URL:
<http://www.privacy.af.mil/shared/media/document/AFD-070918-013.pdf>

NAVY PIA (System Name: BCNRTS) URL:
<http://www.doncio.navy.mil/contentview.aspx?id=678>

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 149

Total annual respondents:	33,000
Frequency of response:	1
Total annual responses:	33,000
Burden per response:	30 minutes
Total burden hours:	16,500 hours

b. Explanation of How Burden was Estimated.

The 30 minute per form response time was determined by having an Army Review Board Agency employee sit down and fill out the DD Form 149.

c. Labor Cost to Respondent.

$\$7.25/\text{hour}$ (we arbitrarily used 2 x minimum wage) x 16,500 hours =
\$119,625.00.

13. Estimates of Cost of Burden for the Respondent 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) Photo copy of supporting documentation

(average number per submission)
5 pages at \$.10 per page = \$.50 x 33,000 applications =
\$16,500

(2) Mailing of DD Form 149 and supporting documents:
33,000 x \$ 1.39 (postage) per application = \$45,870
33,000 x \$.10 (envelope) per application = \$ 3,300
TOTAL ANNUAL RESPONDENT O&M COST = \$49,170

14. **Estimates of Cost to the Federal Government.**

(a) Printing individual forms on Federal Government computer
printers: 12,000 forms @ 20 cents per form (2 sided) = \$ 2,400

(This cost is based upon a substantial number of written requests that are sent to the Boards from retirees or inmates requesting forms. These individuals often do not have ready access to electronic versions of the form. This figure should go down in the future as more senior citizens and inmates obtain the form on-line).

(b) Photo copying and word processing (paper, toner, machines)
of form, supporting documentation, and decisional
documents for mailing and archiving:
33,000 x \$5.11 per decision = \$168,630

(c) Mailing between offices and records repositories of
form, records, advisory opinions, and decisional documents:
33,000 x \$2.28 per applicant = \$75,240

(d) Mailing decisional documents to respondents:
33,000 x \$.39 (postage) per decision = \$12,870
33,000 x \$.05 (envelope) per decision = \$ 1,650

TOTAL ANNUAL MATERIALS COST =
\$258,390

(e) Labor Costs:

The following estimate involving labor costs is based on the personnel structure at the Army Board for the Correction of Military Records, 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 \$9.60/hr x 7 hrs = \$ 268.80
Support Staff:

	Screening and Processing		
	6 personnel at average \$4.10/hr x 6 hrs =		\$ 147.60
	Archiving and Promulgating		
	2 personnel at average \$12.60/hr x 1 hr =		\$ 25.20
	Mail Handling		
	2 personnel at average \$7 x ¼ hr =		\$ 3.50
	IT Technical Support		
	2 personnel at average \$12/hr x ¼ hr =		\$ 6.00
	Board Members:		
	3 board members at average \$15.33/hr x ½ hr =		\$ 23.00
	Board Approval by Secretarial Representative:		
	\$56.00/hr x ½ hr =		\$
<u>28.00</u>	Total Labor Cost <u>Per Case</u>	=	\$
502.10			

TOTAL LABOR COST FOR 33,000 REpondENTS
\$16,569,300.00

TOTAL COST TO THE GOVERNMENT
\$16,827,690.00

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.