

**SUPPORTING STATEMENT FOR THE
DECLARATION FOR FEDERAL EMPLOYMENT, OPTIONAL FORM (OF) 306
OMB #3206-0182**

Justification:

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

The information collected on this form is used to determine acceptability for Federal and Federal contract employment. The U.S. Office of Personnel Management (OPM) is authorized to request this information under sections 1302, 3301, 3304, 3328, and 8716 of title 5, U.S.C. Section 1104 of title 5 allows OPM to delegate personnel management functions to other Federal agencies.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The Optional Form (OF) 306 is completed by individual applicants during the hiring process. It is a fillable form that collects information about an applicant's selective service registration, military service, and general background. The information collected on this form is mainly used to determine a person's acceptability for Federal and Federal contract employment. However, if necessary, and usually in conjunction with another form or forms, the information on this form may be used in conducting an investigation to determine a person's suitability or ability to hold a security clearance, and it may be disclosed to authorized officials making similar, subsequent determinations.

This information is collected by human resources professionals during the hiring process.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The collection of information does not involve automated, electronic, mechanical or other technical collection techniques, although it is available on the internet in a pdf file format. The OF 306 must be signed by the applicant, so although the form is available in an electronic formation on the web, it must be signed by the applicant to certify that all information provided is true, correct, complete and made in good

faith. Improved technology will do little to reduce the burden because the applicant's signature is required.

4. Describe efforts to identify duplication.

Information collected on the OF 306 about a person's selective service information, military service and general background information is used to determine the acceptability for Federal employment. Other forms, specifically the SF-85P and SF-86, may request similar information, but these information collections are for the purpose determining an eligible employee's suitability for a position of trust or eligibility to occupy a sensitive position or have access to National Security information.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Not applicable. This collection of information does not affect small businesses or other small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The OF 306, is completed by applicants who are under consideration for Federal or Federal contract employment. The OF 306 requests that the applicant provide personal identifying data, including convictions, imprisonments, probations, paroles or military court martial in the past 10 years, delinquency on a Federal debt, Selective Service Registration, United States military service and Federal civilian or military retirement pay or pension received or applied for.

If this information is not collected, OPM would be neglecting authorization to request this information under sections 1302, 3301, 3304, 3328, and 8716 of title 5, U.S.C. Section 1104 of title 5 allows OPM to delegate personnel management functions to other Federal agencies.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.

Not applicable. This information collection is in compliance with 5 CFR 1320.6.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically

address comments received on cost and hour burden. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

A notice of the proposed information collection was published in the Federal Register on April 19, 2010 (Federal Register Notices / Volume 75, Number 74, page 20399) as required by 5 CFR 1320, affording the public an opportunity to comment on the form (s). Seven (7) comments were received. Comments from the Department of Treasury (Treasury), the Minerals Management Service, the U.S. Department of Agriculture Office of Human Resources Management (USDA-HRM), USDA Rural Development, and the General Services Administration (GSA) iterated the need for continuing this information collection to assist Federal agencies during the hiring process. Treasury, USDA-HRM, and GSA specifically commented on the public burden statement and characterized the burden as accurate and valid.

In addition, the following recommendations were received:

1. The Department of Treasury provided six (6) areas of comment:
 - a. Recommended that OPM develop an automated version of the form to include electronic signature to minimize the burden on job candidates and streamline the hiring process. OPM will take this recommendation into consideration. OPM is currently considering the appropriate use of electronic signatures for information collected during the background investigations process.
 - b. General: wherever a name is requested, include instruction to include the code "NMN" to indicate that there is no middle name. OPM accepts this recommendation.
 - c. General: wherever a name is requested, include a prompts for a suffix (i.e., JR, III, etc). OPM accepts this recommendation.
 - d. New Question: Add a new question "Are you a US Citizen? If no, indicate country of citizenship." OPM accepts this recommendation.
 - e. Question 9: Insert the work "arrested/charged in the first sentence to read as follows: "During the past 10 years, have you been arrested/charged, been convicted, been imprisoned, been on probation, or been on parole?" OPM does not accept this recommendation due to Title VII concerns about agencies' use of the OF 306 to screen applicants for positions without full development of the

record when an arrest is disclosed for which the applicant was not convicted. OPM intends to consider modification to the SF 85 to incorporate Treasury's recommended question as full development of the record would be possible during a suitability investigation once a condition offer of employment was made.

- f. Question 11: In the first sentence, replace the word "now" with the word "currently" to read as follows: "Are you currently under charges for any violation of law?" OPM accepts this recommendation.

Two comments were received from members of the public:

- a. "The American people want to know a personal lifetime criminal record." OPM does not intend to compel the collection of lifetime criminal history from the respondent for this collection as a more limited scope is appropriate for determining acceptability for federal employment, and there are the other collections in place to investigate with an expanded scope as appropriate to the risk and sensitivity of the position.
- b. "I can't believe that a male individual, who I personally know, has never finished high school and never got a GED, just got a job working for NASA, making like \$27/hr and all these great benefits! I am shocked that our own federal government doesn't make that as a mandatory minimum qualification no matter what the job is even if it is through a contractor. (the application I saw him fill out said application for federal employment at the top). What message does that send to the public? Doesn't that go against the grain of the American ideal of "stay in school"? With so many people like me now out of work in California, who have a high school diploma and taken all that extra time and effort to graduate college, it just eats me up that this guy can skate past so many more better qualified, unemployed people looking for work. This makes for unbelievable headline news "High School Drop Out works for NASA" I can't imagine how many angry people would be shocked too." OPM does not intend to adjust the collection to inquire about educational history as the educational requirements for positions vary. OPM will, however, make an acknowledgement in the title of the form that it is a form that may be used in the assessment of fitness for federal contract employment.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

Not applicable. Individuals voluntarily complete this form to receive the benefit of Federal employment.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The OF 306 contains a Privacy Act Statement, as required by 5 U.S.C 552a. The U.S. Office of Personnel Management (OPM) is authorized to request this information under sections 1302, 3301, 3304, 3328, and 8716 of title 5, U.S.C. Section 1104 of title 5 allows OPM to delegate personnel management functions to other Federal agencies. Any disclosure of this record or information in this record is in accordance with routine uses found in System Notice OPM/GOVT-1, General Personnel Records.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

Not applicable. The questions are not of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

12. Provide estimates of the hour burden of the collection of information.

Each OF 306 form takes an estimated 15 minutes to complete. The number of forms completed varies depending on the number of investigations requested/completed each year. Estimates are provided below:

	<u>Number of Respondents</u>	<u>Burden Hours</u>
OF 306	178,114	44,529

It is estimated that the total number of respondents for the OF 306 is 178,114 annually. Accordingly, the estimated annual burden is 44,529 hours.

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.

There is no cost to individual respondents.

14. Provide estimates of annualized cost to the Federal Government. Also provide a description of the method used to estimate cost which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff) and any other expenses that would not have been incurred without the paperwork burden.

It is estimated that the cost to print and maintain the OF 306 form is \$10,687. This figure is based on the annual total OF 306s used (178,114) x cost per form (.06) = \$10,687.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

The overall annual public burden hours for the OF 306 are 44,529 hours. This figure has been calculated utilizing the subsequent parameters: 178,114 (number of respondents) x 15 minutes (approximate time to complete the form) = 2,671,710 minutes / 60 minutes = 44,528 hours (annual public burden hours).

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Not applicable. Information collected on the forms will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

Not applicable.