

**SUPPORTING STATEMENT FOR THE
FINGERPRINT CHART STANDARD FORM 87 (SF 87)
OMB #3206-0150**

Justification:

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

The SF 87 is a fingerprint card, which is utilized to conduct a national criminal history check, which is a component of a background investigation. The SF 87 fingerprint chart is used in background investigations to help establish facts required to determine, for example, whether the subject of the investigation should be adjudicated to be eligible for logical and physical access to Government facilities and systems; suitable or fit for Federal employment; fit to perform work on behalf of the Federal Government under a Government contract; eligible to hold a position that is sensitive for national security reasons; or eligible for access to classified information. The SF 87 form is utilized only when a hardcopy fingerprint chart must be obtained, as opposed to the electronic collection of fingerprints.

Solicitation of this information is authorized by sections 3301, 3302, and 9101 of title 5 of the U.S. Code; Executive Orders 8781, 10450, 10577 and 12968. Solicitation of the Social Security Number is being requested under the authority of Executive Order 9397. Knowingly providing false information may be punishable by law (title 18, U.S. Code, section 1001).

- 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 SF 87 is a fingerprint card, which is utilized to conduct a national criminal history check, which is a component of the background investigation. The SF 87 is completed by applicants who are under consideration for Federal employment; by Federal employees, to determine whether they should be retained in such employment; by individuals being considered to perform work for the Federal Government under a Government contract or to continue such work; and by persons seeking long-term access to Federal facilities and systems. The SF 87 fingerprint chart is used in background investigations to help establish facts required to determine, for example, whether the subject of the investigation should be adjudicated to be eligible for logical and physical access to Government facilities and systems; suitable or fit for Federal employment; fit to perform work on behalf of the Federal Government under a Government contract; eligible to hold a position that is sensitive for national security reasons; or eligible for access to classified information. The SF 87 form is utilized only when a hardcopy fingerprint chart must be obtained, as opposed to the electronic collection of fingerprints.

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.**

OPM encourages electronic collection of fingerprints and notes annual increases in electronic submissions. The SF 87 chart is utilized only when a hardcopy fingerprint must be obtained (e.g. security offices do not possess electronic fingerprinting capabilities.) The SF 87 charts are converted to images and transmitted to the FBI Criminal Justice Information Services (CJIS) electronically via OPM's Fingerprint Transmission System (FTS).

4. **Describe efforts to identify duplication.**

Duplication exists regarding the SF 87, as information collected may be maintained in multiple systems of records to include fingerprint chart images in FTS and CJIS and original hardcopy fingerprint charts maintained by security offices.

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 Federal Government's ability to conduct effective background investigations process would be compromised as the SF 87 is essential to conducting a timely and accurate national criminal history check, which is a key component of the background investigation.

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 Tuesday, November 27, 2012 (Federal Register Notices / Volume 77, Number 228, page 70848-70849) as required by 5 CFR 1320, affording the public an opportunity to comment on the form. A comment was received from Department of Homeland Security (DHS). DHS commented, "The modifications to the SF 87 proposed by OPM do not take into consideration the agencies that do not use OPM to conduct background investigations or to run the criminal history check. Many agencies that have Delegated Authority (DA) to conduct their own background investigations go directly to the FBI for the criminal history check, bypassing OPM altogether. The information proposed by OPM to be included (SOI, SON, IPAC) would be for the benefit of OPM only, and not the DA agencies that go directly to the FBI. The ORI code is unique to an agency to identify it to the FBI for billing purposes. By removing the ORI, as OPM proposes, the FBI would not have a mechanism to bill the requesting agency, which would greatly diminish the efficiency of the current process." OPM did not accept this comment per perceived misunderstanding. OPM does not intend to remove the ORI block but rather remove the pre-printed ORI number in the ORI block. DHS recommended a correction to the SF 87 Federal Register notice which state that the SF 87 is used for applicants under consideration for Federal or Federal Contract employment. According to DHS, the SF 87 is used only for Federal applicants or employees, not Contractors and a Contractor would use the FBI FD 258 fingerprint card. OPM did not accept the DHS recommendation. OPM concurs that typically Contractors utilize the FBI FD 258, however Contractor SF 87 submissions exceptions are permissible.

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

Not applicable. OPM does not provide any payment or gift to respondents. Compliance with the request for fingerprints is voluntary.

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

Due to the SF 87 form's small size and the fact that it may be maintained in multiple systems of records, it does not list all potentially applicable routine uses under the Privacy act. Accordingly, 5 U.S.C. 552a(e)(3)(C) requires that an agency issuing the

SF 87 form must also give the subject a copy of the routine uses for the applicable system of 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 SF 87 takes an estimated 5 minutes to complete. The number of forms completed will vary depending on submissions from requesters. Estimates are provided below:

	<u>Number of Respondents</u>	<u>Burden Hours</u>
SF 87	210,533	17,544

It is estimated that the total number of respondents for the SF 87 is 210,533 annually. Accordingly, the estimated annual burden is 17,544 hours.

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

It is estimated that, at a maximum, 52,633 forms are submitted to federal agencies annually by respondents, who may incur a cost burden to obtain fingerprints at local police departments, when security offices are unable to conduct the fingerprinting. The estimated individual cost burden is \$17.00. The estimated maximum annual cost burden to respondents is \$894,765.

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.

The annualized cost incurred by the Federal Government, for printing, stocking and labor hours is \$25,746 (\$9,650 (Printing and Stocking Cost) + \$16,096 ((Labor Cost)).

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

The total annual cost burden to respondents had decreased from \$2,093,151, in the previous 30 day Federal Register Notice, to \$894,765. The decrease is attributed to the increase of electronic fingerprint submissions.

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 form 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.