

Supporting Statement for Paperwork Reduction Act Submissions  
Approval of existing collection in use without OMB control number for the Criminal Justice Information Services (CJIS) Division CJIS Name Check Request Form (1-791)

**OMB Control # 1110-xxxx**

The most recent version of this form is dated March 28, 2014. In preparation for the new Next Generation Identification (NGI) system, terminology changes were made to the form. For example, the Federal Bureau of Investigation (FBI) Number is now referred to as the FBI Universal Control Number (UCN). Additionally, because the NGI system is identity based, all references to a criminal history record were changed to read identity history summary. Finally, the option to have responses sent via mail was removed as the FBI CJIS Division will only fax responses to the requesting agency.

Part A. Justification

1. Necessity of Information:

Title 28 CFR 0.85(j) sets forth the Attorney General's delegation to the FBI to implement the exchange of identity history information for noncriminal justice purposes. Additionally, 28 CFR 20.33 (a)(3) and 50.12 both further explain the dissemination of identity history information for noncriminal justice purposes. Currently, the CJIS Division provides a manual name check service for civil ten-print submissions that have been rejected twice during the NGI system processing [Note: The NGI system replaces the former Integrated Automated Fingerprint Identification System (IAFIS) in 2014]. The service was based on a recommendation by the Advisory Policy Board (APB) to ensure that individuals with poor quality fingerprints not be denied benefits, licensing, or employment opportunities due to non-discernible fingerprints. The information collected upon the form is required to complete the manual name check service to ensure the agency requesting the service has the authority to request and obtain the results of a manual name check, and to verify fingerprints were submitted and rejected twice for the individual of the name check request.

2. Needs and Uses:

Without the name check service and the form utilized to obtain the information necessary to conduct the service, many individuals could be denied benefits, licensing, or employment opportunities. Contributing agencies receive a copy of the processed form with the response. The form is also maintained in files for 30 days plus the current month for administrative purposes prior to being destroyed and placed in the confidential trash. If the request is illegible, the form is retained for 30 days plus the current month to allow the contributor time to submit an additional fingerprint card for manual fingerprint comparison. If no response is received within the allotted timeframe, the form is destroyed.

### 3. Use of Technology:

Since the implementation of the manual name check service in 2001, various means of automation have been considered. In June 2004, the IAFIS began conducting automated name checks on fingerprint submissions receiving the L0008 error message. The system generated a modified response to advise when candidate(s) were found during the name check portion of the IAFIS search. When the IAFIS found a potential candidate(s) based on the name, the system generated a modified L0008 error message that stated, "The quality of characteristics is too low to be used. However, possible candidates are found. Please submit a new set of fingerprints for comparison to the candidate(s)." When the automated name check did not find a potential candidate(s), the contributing agency received the normal L0008 error message stating, "The quality of the characteristics is too low to be used." This automation helped reduce the amount of name check forms agencies had to submit, as they are advised prior to the submission of the request, whether or not a name was found.

During the fall of 2004, the CJIS Division created a Law Enforcement Online (LEO) account for agencies still requiring a manual name check. Using the [www.leo.gov](http://www.leo.gov) website, authorized agencies completed the fillable version of this form online and submitted it directly to the CJIS Division for review. Transmission of the name check request via LEO provided a secure manner for contributors to send the request and provided the Name Check Program with a more effective and efficient manner to receive requests.

In December 2005, the CJIS Division proposed the automation of the Manual Name Check to the APB for approval. The automation would enable the IAFIS to automatically generate a letter, upon the rejection of the second submission. The name check response letter would be included with the IAFIS response and be returned to the contributor electronically, thus eliminating the manual name check service and the form required to obtain the service. The APB approved the concept of automation and the requirements for implementation were completed. However, due to the retirement of the IAFIS, system modifications were prohibited since the NGI system would be deployed. Name check automation may be added as an enhancement to the NGI system in the future. At this time, the only methods to submit a name check request are to mail the hard-copy 1-791 or submit the fillable form online.

### 4. Efforts to Identify Duplication:

The CJIS Division is the only federal agency utilizing the data from this information collection.

### 5. Methods to Minimize Burden on Small Businesses:

This information will have no significant impact on small entities. Small businesses will not be affected by this collection.

### 6. Consequences of Less Frequent Collection:

This information collection is strictly voluntary and the frequency of submission is not mandated.

7. Special Circumstances Influencing Collection:

The collection is submitted by authorized agencies to obtain a name check for an individual whose fingerprints are too poor to conduct fingerprint comparisons in an attempt to ascertain if the subject is eligible for benefits, licensing, or employment.

8. Public Comments and Consultations:

The FBI sponsors and participates in training seminars, industry meetings, and conferences with the user community. These meetings are held regularly and provide an open forum to discuss matters of mutual concern, including current procedures. The FBI consults with users on an individual basis as needed. Additionally, the 30 and 60 day Notices of Information Collection will be published in the Federal Register.

9. Payment of Gift to Claimants:

The FBI does not provide any payment or gift to respondents.

10. Assurance of Confidentiality:

Information requested in this collection may be considered confidential business information.

11. Justification for Sensitive Questions:

This collection does not include questions of a sensitive nature.

12. Estimate of Hour Burden:

Number of respondents	11,000 approximate
Frequency of response	as needed
Total annual responses	129,722
Minutes per response	5 minutes
Annual hour burden	10,810

13. Estimate of Cost Burden:

Respondents will not incur any costs other than their time to respond. Respondents will not incur any capital, start up, or system maintenance costs associated with this information collection.

14. Estimated Annualized Costs to Federal Government:

Note: The CJIS Name Check Requests are received and processed by the same personnel. Therefore, the associated costs were added together on one line.

Personnel Salaries:	\$	571,700.90
Analysis of incoming information:	\$	0
Conversion to electronic format:	\$	0
 Total Cost:	 \$	 571,700.90

15. Reasons for Change in Burden:

Until recent years the Name Check Request form (1-791) was used without OMB approval which accounts for the increase in the number of responses.

16. Plans for Publication:

There are no plans to publish the information collected.

17. Expiration Date Approval:

Due to the administrative burdens related to replacing expired forms when no information on those forms has been changed, the FBI is requesting approval to not display the expiration date for OMB approval of the information collected.

18. Exceptions to the Certification Statement:

There are no exceptions to the certification statement.

Part B. Statistical Methods

The Federal Bureau of Investigation does not employ statistical methods in this information collection.