

SUPPORTING STATEMENT

Title of Collection (Police Record Check, DD Form 369), OMB 0704-0007

A. JUSTIFICATION.

1. Need for Information Collection

Title 10, U.S. Code, Sections 504, 505 and 12102 establish minimal standards for enlistment into the Armed Forces. Among other items, these sections specifically prohibit the enlistment of those convicted of a felony. The Services have therefore developed standards which address the acceptability for Service persons with police records, adverse juvenile adjudications or court convictions. The standards are designed to screen out categories of persons who have probability of either becoming serious disciplinary problems or may not be able to adjust to the disciplinary demands of the Armed Forces. This information collection is needed to identify persons who may be undesirable for military service. The existence of a police record is one of the factors considered in establishing eligibility for enlistment or entry into highly sensitive career fields. Therefore, verification data from the individual and law enforcement agencies must be obtained before enlistment can occur.

2. Use of Information

The primary purpose of this information is to identify individuals who may be undesirable for military service. The respondent is the state, local police or law enforcement agency for which the inquiry is directed. The form associated with this information collection is DD Form 369, "Police Record Check." It is used by recruiters to inquire on applicants' backgrounds prior to acceptance to the Armed Forces, when, in the judgment of the recruiter, an applicant may be withholding information of prior offense history. The recruiter utilizes this information provided by law from the law enforcement agency to determine an applicant's general enlistment eligibility and to identify individuals who may be undesirable for military service. This information is extracted at the law enforcement agency by either computer or a card file. This information is maintained as confidential and is utilized currently as a screening tool for recruiters. It is stored in their personnel file and is destroyed within 3-6 months after enlistment or rejection from Service. The data which has been collected over the past three years has allowed recruiters to process qualified applicants who meet the acceptable entry standards for the Armed Forces and assisting in the reduction of the attrition rate for basic trainees.

3. Improved Information Technology

The DD Form 369 is available to the public electronically on-line from the Department of Defense forms website <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0369.pdf>. The Department has determined that the DD Form 369 is appropriate for electronic generation. The form is available on the DoD Electronic Forms Web site in Fillable Adobe PDF file and used by the Military Entrance Processing Command (MEPCOM) Integrated Resource System (MIRS) at the Military Entrance Processing Stations (MEPS). The initial completion of the applicant's information

occurs electronically at the recruiting station. However, full implementation of electronic transmission and digital signatures, as required under the GPEA, is not yet possible due to the unavailability of electronic connections (standardized hardware and/or software) between Federal and state/local government agencies at this time. Strategic planning has occurred and research and development has begun on ongoing initiatives, including biometrics. Progress is contingent upon funding of these ongoing initiatives.

4. Non-Duplication

There is no duplication.

5. Burden on Small Business

Small businesses and other small entities are not involved.

6. Less Frequent Collection

If collection of information ceased, the ability to meet determination for Enlistments, as required by law for prior offense history, could not be met.

7. Paperwork Reduction Act Guidelines

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. Consultation and Public Comments

A 60-day Federal Register Notice has been published in Volume 79, No. 161, page 49287, August 20, 2014. No public comments were received.

A 30-day Notice has been published in Volume 79, No. 210, page 64579, October 30, 2014.

DD Form 369 has been in use and tested for years. Less than 1% are questioned or mis-routed.

9. Gifts or Payment

No payment or gifts will be made to respondents.

10. Confidentiality

This information collection does not ask the respondent to submit proprietary, trade secret, or confidential information to the Department.

Applicable SORNs:

Army: <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/6150/a0601-210a-usarec.aspx>

Air Force: <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/5811/f036-aetc-f.aspx>

Marine Corps: <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/6777/m01133-3.aspx>

Navy: <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/6413/n01133-2.aspx>

Coast Guard:

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-10/html/2011-20225.htm>

PIA: Not required per Ms. Cindy Allard, Privacy Coordinator.

11. Sensitive questions.

Data collected on gender, race and ethnicity are used throughout the application process as a means of validating the applicant's identity and to facilitate the reporting and tracking of individuals in this country. The Service Recruiters use policies and regulatory guidance from DoD when determining racial/ethnic category information when they are filling out the form with the applicant (prospective future Service member). OSD(General Counsel) has reviewed the DD Form 369. The revised standards, per OMB Bulletin No.00-02, Guidance on Aggregation and Allocation of Data on Race for use in Civil Rights Monitoring and Enforcement, http://www.whitehouse.gov/omb/bulletins_b00-02, provides the recruiters with the necessary information to assist the applicants with properly completing the race and ethnicity sections on the DD Form 369.

SSN: An applicant's SSN is used to conduct the police record check and keep all records together during the enlistment process. The uniqueness of the SSN allows proper validation of data across several state, local, and federal systems and ensures that the correct information is provided for the purposes of moral qualification. Failure to provide information or providing incorrect information could have a detrimental affect on the Armed Services moral qualification process. Since law enforcement agencies may have several persons with the same name and similar characteristics, including gender/race and ethnicity information, the request for the entire SSN, with race and ethnicity information, will facilitate law enforcement agencies with the ability to validate the applicant's identity before releasing any prior offense history to the Military Services. Federal and State Law enforcement agencies run the respective checks by using the entire SSN. Masking or truncating the SSN in order to obtain the prospective future Service members will cause information discrepancy and possibly the erroneous release of personal information. Agencies will not run the record check without the entire SSN as agencies lack the technology to conduct the check without the entire number. However, once the applicant information is obtained from the Local/State/Federal agencies, the Services will internally mask the SSN in order to meet the DoD SSN reduction plan.

Personal Identifying Information (PII): Respondents are advised that their data are for OFFICIAL USE ONLY and will be maintained and used in strict confidence in accordance with Federal law and regulations. Procedures are in place to protect the confidentiality of the information. The paper forms will be secured to protect PII in accordance with DoD regulations. The erroneous release of PII might cause legal action by individuals against DoD and/or the government.

12. Response Burden, and its Labor Cost

Respondent for Collection of Information. Please note that this number has been adjusted based on Military Department annual reports.

a. Estimation of Respondent Burden

Total annual respondents: 175,000
Frequency of response: 1
Total annual responses: 175,000
Burden per response: 27 minutes
Total burden hours: 78,750

b. Explanation of How Burden was Estimated. Burden estimate of 27 minutes for processing the DD Form 369 was verified telephonically by a local law enforcement agency.

c. Labor Cost to Respondents. There is a labor cost to the respondent to fill out this form or to manually annotate the date on the form from the law enforcement agency card files or to process computer copies of the data. The requirement estimated for a clerk to look up the information on a computer screen and print the information and send the form has been estimated at:

$\$17.49/\text{hr.} \times 27 \text{ minutes}/60/\text{min in hour} = \7.87 per form.
 $175,000 \text{ respondents at } \$7.87 = \$1,377,250.$

13. Respondent Costs Other than Burden Hour Costs

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. Total Operation and Maintenance Cost. Of the 175,000 DD Forms 369, "Police Records Check" that are verified and completed by law enforcement agencies, 10% have a computer-generated copy of the police record attached to the request.

17,500 at .10/page (paper cost) \$1,750

17,500 X \$5.60 (computer time) \$98,000

Total O&M cost to respondent: \$99,750

14. Cost to the Federal Government.

E-5 / E-7 hourly pay = \$18.53 at 3 minutes/form/60 minutes=\$0.93

GS-06/step 3 =\$32,941/yr in 2014 /2087/hours/yr= \$15.78/hourly wage;

\$15.78 at 3 minutes/form/60minutes in hour \$.79

Cost to the Federal Government per respondent = \$1.72

Total Federal Government costs (175,000 X \$1.72) = \$301,000.

15. Reasons for Change in Burden.

Change in cost to the Federal Government is due to the elimination of printing and postage costs. The information is not filed in the OMPF or online and is destroyed once corroborated.

16. Publication of Results

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

17. Non-Display of OMB Expiration Date

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

18. Exceptions to "Certification for Paperwork Reduction Submissions"

No exceptions to the certification statement are being requested.