

SUPPORTING STATEMENT

#1535-0141

Justification for: Background Investigation Inquiry Forms

PD F 5518 — Investigative Request for Personal Information.

PD F 5519 — Investigative Request for Law Enforcement Data.

PD F 5520 — Investigative Request for Educational Registrar and Dean of Students Record Data.

PD F 5521 — Investigative Request for Employment Data and Supervisor Information.

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

Executive Order (EO) 10450 requires agency heads to classify positions for sensitivity in relation to national security or suitability for federal employment. An investigation appropriate to the sensitivity level is required on each person employed by the Government to determine that the employment is clearly consistent with the interest of the Government. This order also grants the U.S. Office of Personnel Management (OPM) oversight responsibility for its implementation Government-wide. Additionally, Executive Order 13467, Reforming Process Related to Suitability for Government Employment, further establishes guidelines for evaluating background investigation information to ensure that employees are suitable for Government employment, eligible for logical and physical access to a federal facility, or eligible to work for the government in a sensitive position. The Bureau of the Fiscal Service (Fiscal Service) has traditionally used the services of the Office of Personnel Management to conduct the required background investigations on Fiscal Service employees and contractors. However, in 2006, OPM formally delegated that task to Fiscal Service with the condition that bureau personnel conduct these investigations adhering to EO 12968 and OPM standards for the position sensitivity investigation specified in the OPM Handbook. Several of the required investigation types require a written inquiry be used to contact the listed references of the employees/contractors, to verify a college degree, or to contact a local police agency. In the past, this function was performed by OPM; however, under the delegation and to adhere to OPM guidelines, Fiscal Service must now assume this role and responsibility. Fiscal Service cannot perform its mandated role of conducting the required background investigations that adhere to federal law without having these forms.

2. Indicate how, by whom, and for what purpose the information is to be used.

Information is for use solely by the Bureau's Personnel Security Section. Specifically, the inquiries are used on a case-by-case basis when the collection of this data is specifically prescribed in this manner. After these forms are returned, the information provided is analyzed within the context of the background

investigation by the investigator to provide a general overview of a person's character and reputation.

- 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. What consideration is given to use information technology to reduce burden?**

The forms are available from the Bureau of the Fiscal Service as a fill-in PDF form.

- 4. Describe efforts to identify duplication. Why can't any similar information already available be used or modified for use for the purposes described in item 2 above?**

The form is reviewed annually to assure duplicate information is not requested.

- 5. If the collection of information impacts small business or other small entities describe any methods used to minimize burden?**

This collection of information does not impact small business or other small entities.

- 6. What consequences to Federal program or policy activities and what, if any, technical or legal obstacles to reducing burden will occur if this collection is not conducted or is conducted less frequently?**

N/A

- 7. Is this collection of information conducted in a manner consistent with the guidelines of 5 CFR 1320.6?**

The collection of information cannot be conducted less frequently because the collection is initiated for a single purpose.

- 8. What effort was made to notify the general public about this collection of information?**

The Bureau's notice was published in the Federal Register on October 23, 2013, Page 63310. Comments in the form of a recommendation were received from the U.S. Equal Employment Opportunity Commission, Office of Legal Counsel (EEOC) to ensure use of the collections are consistent with the requirements of Title VII of the Civil Rights Act of 1964, as amended (Title VII), and Section 501 of the Rehabilitation Act of 1973, as amended (the Rehabilitation Act). In regards to Title VII, EEOC recommended that the Bureau determine if it can be more specific as to job-related violations when collecting information about past

violations of the law and narrow the scope of criminal and financial history to focus on records most specific to the employee's position.

After review with the program office, it was determined that open ended questions are the most effective means to gather information about criminal and financial history relevant to the suitability for employment, and investigations to obtain identity credentials for long-term physical and logical access to Federally-controlled facilities and information systems. The forms are a reasonable means to collect information relevant to the investigation since the forms are used in investigations that cover an expansive variety of positions and access credentials.

In reference to the Rehabilitation Act, EEOC recommended that the Bureau make inquiries about an individual's "abuse of alcohol and/or drugs" or "mental or emotional stability" after an offer of employment has been made since these could be considered disability-related inquiries. This is a practice already in place at the Bureau of the Fiscal Service where the investigation is not initiated until the job offer has been made and the selected applicant has signed the OF-306, Declaration for Federal Employment. Once the investigation is complete, only negative information relevant to the position is disseminated to the hiring official.

9. What decision was made to provide any payment or gift to respondents, other than reenumeration of contractors or grantees?

N/A

10. What assurance of confidentiality was provided to respondents and what was the basis for the assurance in statute, regulations, or agency policy?

All information is voluntarily provided by the respondent to enable the Bureau of the Fiscal Service to make a determination about an individual's suitability for employment or security clearance. The information provided may be disclosed to the person being investigated and to other federal agencies unless the respondent requests confidentiality in their responses. In compliance with Title 5 Code of Federal Regulations, Part 736.102(c), respondents to PD F 5518 and PD F 5521 may elect to keep his or her identity confidential, by indicating this in writing on the reverse and providing contact information only. A pledge of confidentiality is not offered to a law enforcement record provider (PD F 5519) or an educational record provider (PD F 5520), since by regulation Fiscal Service notifies such providers that it will not disclose their records.

11. What justification is there for questions of a sensitive nature?

There are no questions of a sensitive nature.

- 1) Whether the information collection includes Personally Identifiable Information (PII) and what this PII is.*

The following list describes the Personally Identifiable Information (PII) included in this collection and the purpose of gathering this information.

Type	Intended Use
Full Name	Determine an individual's suitability for employment or security clearance.
Address	Properly matches the individual under investigation.
Date of Birth	Properly matches the individual under investigation.
Place of Birth	Properly matches the individual under investigation.
Social Security Number	If requested, properly matches the individual under investigation. Used in rare instances where one of the items above is not sufficient.

- 2) OMB memo M-07-16 ([Safeguarding Against and Responding to the Breach of Personally Identifiable Information](#)) requires agencies to take steps to eliminate unnecessary use of SSNs and explore alternatives to the use of SSNs as a personal identifier. Agencies must explain why the collection and use of SSNs is necessary, why alternative identifiers will not suffice, and how the agency complies with the requirements in section 7 of the Privacy Act. If this PII includes SSNs, did the agency inform individuals whether the disclosure is mandatory or voluntary? What statute, or other authority, is the SSN being solicited under? How will the SSN be used?

The following Privacy Act Notice appears on the form. Title 5, Section 301 and Title 31, Section 321, of the U.S. Code authorizes the collection of this information. The purpose for collecting this information is to enable the Bureau of the Public Debt (Public Debt) to make a determination about an individual's suitability for employment or a security clearance. The information you provide may be disclosed to the person being investigated and to other federal agencies. Furnishing the information on this form is voluntary, but without this information, Public Debt may be unable to make a determination about the individual's suitability for employment or a security clearance.

- 3) A citation to any applicable SORN for the collection of PII. If the agency has not yet published or received approval for this SORN, where in the process is the SORN (about to be published, submitted to OMB for approval, etc)?

System of Records Notice: Treasury/BPD.001 – Human Resources and Administrative Records, Published August 17, 2011

- 4) Please cite the website where any applicable Privacy Impact Assessment (PIA) is published.

A PIA is not applicable since this is not an electronic collection.

12. What is the estimated hour burden of this collection of information?

The average time needed is 10 minutes per response multiplied by the estimated number of responses (750) reflects the total burden of 125 hours.

13. What is the estimated total annual cost burden to respondents or recordkeepers resulting from this collection of information?

Estimated cost burden to respondents is not available.

14. What is the annualized cost to the Federal Government?

The following factors were used to estimate the annual burden to this agency:

- a. Printing cost - estimated number of forms printed annually, multiplied by the unit cost of the forms.
- b. Case processing cost – estimated number of forms completed, multiplied by a percentage of the unit cost of case processing.
- c. Forms management cost - salary cost of forms management personnel.

Printing Cost	750 @ \$.05	= \$ 37.50
Case processing cost	750 @ 1.50/form	= \$ 1,125.00
Forms Management Cost		= \$ 500.00
Total Cost		\$ 1,662.50

15. What is the reason for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I?

Investigation standards were revised by OPM in 2011. The new standards coincided with OPM's introduction of an automated computer check that suffices for the majority of the re-investigations conducted by the Bureau, thus reducing the amount of inquiries sent to contacts listed by the person being investigated.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

The results of the collection of this information will not be published for statistical use.

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

The public interest will be better served by not displaying an expiration date on this collection of forms. The time period during which the current edition of the form will continue to be usable cannot be predicted. It could easily span several cycles of review and OMB clearance renewal. Displaying the expiration date would make it necessary to update the electronic form and website where it is accessed after each renewal. Additionally, not displaying the expiration date on the form will avoid confusion among members of the public who may have identical forms with different expiration dates in their possession. By not displaying the expiration date, supplies of the form could continue to be used

regardless of when the OMB approval has expired. This would reduce costs incurred through additional printing and desktop publishing.

18. What are the exceptions to the certification statement?

N/A