

Supporting Statement for Paperwork Reduction Act Submissions
Approval of a new collection for the Request for Emergency or Term Access to national Security Information Form (FD-1116)

OMB Control # 1110-xxxx

Part A. Justification

1. Necessity of Information:

Pursuant to EO 12968, the FBI has the authority to issue temporary access to classified information (interim clearance).

Pursuant to EO 13549, eligibility for access to classified information by State, Local, Tribal, and Private sector entities personnel must be determined by a sponsoring agency. The level of access granted must not exceed the Secret level, unless the sponsoring agency determines (in this case the FBI) on a case-by-case basis that the candidate has a demonstrated and foreseeable need for access to Top Secret, Special Access Program, or Sensitive Compartmented Information.

Pursuant to EO 13549, an agency head, or the agency head's designee, to authorize in an emergency and when necessary to respond to an imminent threat to life or in defense of the homeland, in accordance with section 4.2(b) of Executive Order 13526, the disclosure of classified information to an individual or individuals who are otherwise not eligible for access in accordance with the provisions of Executive Order 12968.

8.3.1 (U) Favorable determinations of emergency and term access involve a certain degree of risk acceptance because mission exigencies preclude the completion of a background investigation and adjudication to determine eligibility for a security clearance. The FBI, must make a favorable risk management decision prior to the disclosure of any classified information. Access must be granted only where facts and circumstances indicate access to classified information is clearly consistent with the national security interests of the United States, and any doubt will be resolved in favor of national security.

2. Needs and Uses:

The FD-1116 is a form to collect initial and limited background information from private sector partners. The information collected is the minimum information that is needed to conduct a background investigation before granting limited access to classified National Security Information.

The FD 857 – Sensitive Information Nondisclosure Agreement will be executed in addition to this form when the information is actually provided.

3. Use of Technology:

Currently, there are no plans to automate the FD-1116 form. The form is only necessary when emergency circumstances exist and the recipient of the information is not already cleared to handle classified National Security Information. Applicants can mail the hard-copy FD-1116 or submit the fillable form online to the Security Division.

4. Efforts to Identify Duplication:

The information collected will be used to determine suitability of the individual to access National Security Information. The FBI will be granting limited access to individuals with the need to know National Security Information under exigent circumstances.

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:

If the collection is not conducted the FBI risks disclosing classified and sensitive information to unsuitable individuals risking potential damage to the National Security of the United States. Classified information must be properly safeguarded to mitigate the risks associated with threats and vulnerabilities associated with unauthorized disclosure of National Security Information.

7. Special Circumstances Influencing Collection:

The FD-1116 submissions are collected to provide emergency or term access to classified information to non-FBI personnel; additionally, to emphasize that in time sensitive situations, an interim clearance may be granted before the completion of the background investigation (BI) and adjudication to determine eligibility for a security clearance.

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 reporting procedures. The FBI consults with users on an individual basis as needed. Additionally, the 30 and 60-day Notices of Information Collection was published in the Federal Register and no comments were received.

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 personal information. Its release is governed by law, regulations, and agency procedures.

11. Justification for Sensitive Questions:

This collection does not include questions of a sensitive nature.

12. Estimate of Hour Burden:

Number of respondents	500
Frequency of response	as needed
Total annual responses	1000
Minutes per response	5 minutes
Annual hour burden	23 hours

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 FD-1116 forms are received and processed by the same personnel. Therefore, the associated costs were added together on one line.

Personnel salaries for analysis of incoming information:	500 hours x \$55/hr (GS 14) = \$27,500
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Total Cost:	\$27,500
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15. Reasons for Change in Burden:

This is a new form necessary for quick background investigations of un-cleared individuals to allow for the emergency disclosure of classified and sensitive information.

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 FBI does not employ statistical methods in this information collection.