

**SUPPORTING STATEMENT FOR THE  
FREEDOM OF INFORMATION/PRIVACY ACT  
RECORD REQUEST FORM (INV 100)  
OMB #3206-0259**

Justification:

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

The purpose of the collection is to enable the United States Office of Personnel Management (OPM), Federal Investigative Services (FIS), Freedom of Information and Privacy Act (FOI/PA) office, to locate applicable records and provide the requester responsive records pursuant to the Freedom of Information Act (5 U.S.C. § 552), and/or the Privacy Act of 1974 (5 U.S.C. § 552a). Authority to collect this information is contained in 5 U.S.C. § 552, 5 U.S.C. § 552a, 5 C.F.R. § 297.201(b).

Responsive records are covered by OPM system of records notice (SORN) Central 9: Personnel Investigation Records. This SORN was last published in the Federal Register (FR) in May 2010; 75 FR 28307. Current privacy impact assessments exist for the systems that hold responsive records. Those systems are: (1) the Personnel Investigations Processing System (PIPS), 027-00-01-02-02-1040-00-315-179, dated 02/11/2014 and (2) the Electronic Questionnaires for Investigations Processing (eQIP), 027-00-01-99-01-0020-24-408-197, dated 10/2/2015.

Solicitation of Social Security Numbers (SSN's) by OPM is authorized under the provisions of Executive Order 9397, dated November 22, 1943. Providing social security numbers and the identity source documents is voluntary. Individuals requesting information are asked to provide their SSNs and identity source documents only to facilitate the identification of records relating specifically to that individual. Without an individual's SSN and identity source documents, OPM may be unable to locate records pertaining to that specific individual. The use of SSNs and identity source documents is necessary because of the large number of Federal employees, contractors, civilians, and military personnel who have identical names and/or birth dates and whose identities can only be distinguished by this information.

**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.**

Current FOIA and Privacy Act record requests are submitted to FIS FOI/PA in a format chosen by the requester, yet consistent with the published regulations at 5 CFR 294 and 297, respectively. Often the requests are missing data elements which require contact with the requester via mail, thereby adding time to the access process. Standardization of the access process will increase the volume of perfected requests

received. This will strike an appropriate balance between the burden to the public in submitting a request and FIS FOI/PA being able to accurately identify the records being sought and also verify the identity of the Privacy Act requesters thereby ensuring Privacy Act protected records are not inappropriately released to third parties.

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.**

The collection does involve a degree of automation, as the form will be available on the internet in a portable document file (PDF) format.

If the requester is submitting a FOIA request, the INV 100 may be transmitted electronically once completed, or printed and mailed or faxed to OPM's FIS FOI/PA office.

Alternatively, if the requester is making a request for records about him/herself, subsequent to the INV 100 being completed electronically, the INV 100 must be printed and contain a handwritten signature. OPM'S Privacy Procedures for Personnel Records (5 C.F.R. § 297.201) explain OPM requires proof of identity from individuals making requests for records about themselves, and one such form of identity is the individual's signature. The completed INV 100 can then be mailed hardcopy, faxed, or scanned and emailed as an attachment to OPM FIS's FOI/PA office.

The use of digital signatures has been considered although at this time OPM does not have the capability to authenticate digital signatures for Adobe PDFs. There is no current ability to cost effectively track and validate the information needed to authenticate an Adobe PDF digital signature.

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

Information collected on the INV 100 is specific to OPM FIS FOI/PA. The form is optional and collection of the information is only required if the individual makes a FOIA, Privacy Act or Amendment request.

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.**

Use of the INV 100 is intended to organize the collection of the information to simplify and make more efficient the process of making a Freedom of Information Act (5 U.S.C. § 552), and/or Privacy Act of 1974 (5 U.S.C. § 552a) request(s). Additionally, the standardized collection of information will enhance OPM FIS' request processing and minimize the number of imperfect requests submitted.

**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 Friday, August 31, 2012 (Federal Register Notices / Volume 77, Number 170, page 53237-53238) as required by 5 CFR 1320, affording the public an opportunity to comment on the form (s). Four comments were received from the National Archives and Records Administration's (NARA) Office of Government Information Services (OGIS), recommending verbiage clarity changes in Section 5, Section 6 and Section 7. OGIS recommended that in Section 5, which is optional, OPM should provide an example of an instance where the requester would want to complete this section. OPM added the OGIS suggested verbiage "By completing this section, you authorize information relating to you to be released to another person, such as a family member or legal counsel." OGIS recommended that in Section 6, Verification of Requester's Identity, OPM should change the verbiage, for clarity, from "the person named above" to "the person named in Section 2." OPM accepted the comment and changed the verbiage. OGIS recommended that in Section 7, because a requester is generally not required to state the purpose of his or her request, replace the introductory sentence to state "In the box below, you may wish to provide information about

yourself and the purpose of your request to help us determine your fee category. While FOIA does not require a requester to state the purpose of a request, fees may be reduced based on the nature of the requester or purpose of the request.” OPM accepted the comment and changed the verbiage. OGIS recommended a rewrite in Section 7, to state “I request a waiver or reduction of fees because I am (check one of the three options listed below):” so requesters may check all of the options that apply. This will provide clarity because fee waivers are different from fee categories and the two are not mutually exclusive. OPM accepted the comment and changed the verbiage to state “I request a waiver or reduction of fees because I am (check all options listed below that apply):”.

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

Not applicable. The INV 100 is an optional form for use.

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

Any disclosure of this record or information in this record is in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a) and routine uses found in System Notice OPM/Central 8, Privacy Act/Freedom of Information Act (PA/FOIA) Case 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 INV 100 form 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>
INV 100	16,626	1,386

It is estimated that the total number of respondents for the INV 100 is 16,626 annually. Accordingly, the estimated annual burden is 1,386 hours.

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

There is no additional cost to individual respondents who choose to use this form in lieu of a handwritten request.

**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 INV 100 is an optional form that will be posted on the OPM website for requesters. There are no anticipated annualized print or operational costs to be incurred by the Federal Government.

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

There are no changes or adjustments reported in items 13 and 14.

**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 forms 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.