

SUPPORTING STATEMENT FOR

- Form PHS-50 Application for Appointment as a Commissioned Officer in the United States
Public Health Service Commissioned Corps
- Form PHS-1813 Reference Request for Applicants to the United States Public Health Service
Commissioned Corps

AND SUPPORTING REGULATIONS CONTAINED IN 42 CFR 21.22 AND 21.34

Background

Pursuant to the Paperwork Reduction Act of 1995, the Division of Commissioned Corps Personnel and Readiness (DCCPR), Department of Health and Human Services (HHS), requests an approval by the Office of Management and Budget (OMB) for form an extension of PHS-50, Application for Appointment as a Commissioned Officer in the Commissioned Corps of the U.S. Public Health Service, (OMB No. 0937-0025) and form PHS-1813, Reference Request for Applicants to the Commissioned Corps of the U.S. Public Health Service (OMB No. 0937-0025) and the Commissioned Corps Personal Statement.

A. Justification

1. Circumstances Making the collection of Information Necessary

The principal purpose for collecting the information is to permit HHS to determine eligibility for appointment of applicants into the Commissioned Corps of the U.S. Public Health Service (Corps). The Corps is one of the seven Uniformed Services of the United States (37 U.S.C. 101(3)), and appointments in the Corps are made pursuant to 42 U.S.C. 204 et seq. and 42 CFR 21.58.

Note: On July 23, 2003, the Secretary of HHS delegated the authorities necessary to administer the Corps to the Assistant Secretary for Health. This delegation may have an affect wherever the Surgeon General is cited in this document.

There are two sections of Corps regulations (see Tab C) relevant to the application process. They are 42 CFR 21.22 and 21.34. Section 42 CFR 21.22 is nonspecific in that it requires applicants to submit applications on such forms as the Surgeon General may prescribe. This nonspecific language does not require OMB approval. However, clearance for the language in 42 CFR 21.34 is sought since it requires certification by the applicant of his/her health status. No additional response burden is required by this regulation because the medical certifications are performed on Department of Defense

(DoD) forms included in the application process, and the response burden is accounted for therein (see Tab D). The DoD forms are accompanied by an HHS Privacy Act Statement.

Applicants for appointment in the Corps must submit the information requested in the application process, including form PHS-50, form PHS-1813, and a Commissioned Corps Personal Statement so that a determination can be made about their qualifications for appointment as required by law and regulations. The application process begins at <http://www.usphs.gov>.

Recruitment and retention is a primary focus of the Corps, and efforts are directed toward recruiting entry-level and experienced health professionals and attempting to interest them in career service in the Corps.

2. Purpose and Use of Information Collection

The Commissioned Corps of the U.S. Public Health Service has a need for the information in order to assess the qualifications of each applicant and make a determination whether the applicant meets the requirements to receive a commission. The information is used to make determinations on candidates/applicants seeking appointment to the Corps to assess whether they are suitable for life in the uniformed services based upon a review of a variety of assessment factors including, but not limited to: personal adjustment, employment history, character, and a candidate's prior history of service in one of the uniformed services. Their potential for leadership as a commissioned officer and their ability to deal effectively with people is evaluated.

In addition to the uses authorized by law, information from an individual's records may be disclosed to: prospective employers or other organizations at the request of the individual; other Federal agencies to the extent necessary to obtain suitability and security investigation reports; non-HHS organizations if the applicant is a candidate for assignment by the Corps to a non-HHS organization, e.g., Federal Bureau of Prisons, U.S. Marshals Service (both with the Department of Justice), U.S. Coast Guard (Department of Homeland Security), U.S. Department of Agriculture, Department of the Interior, Commissioned Corps of the National Oceanic and Atmospheric Administration (Department of Commerce), Department of Defense, and Environmental Protection Agency, etc. If the information was not collected, it would not be possible to evaluate applicants for appointment to the Corps.

If the applicant is appointed, the information collected will be used for subsequent personnel actions such as call to active duty, transfer, and promotion orders, and in determining eligibility for benefits.

If the applicant is not appointed, the records are retained for 2 years and then destroyed.

3. Use of Improved Information Technology and Burden Reduction

Presently, a paper-based application process is utilized. An original hardcopy of form PHS-50 containing an original signature (a 'wet' signature) and the PHS-1813 are required from the applicant. Some information from the PHS-50 is entered into the Direct Access (DA) electronic system. There is no significant burden reduction by using the DA system.

1. Efforts to Identify Duplication and Use of Similar Information

The Corps has its own requirements for appointment so there is no duplication of effort with respect to its application requirements.

2. Impact on Small Businesses or Other Small Entities

The information collection involves only individuals.

3. Consequences of Less Frequent Collection of the Information

The electronic application process pertains only to professionals who wish to apply for appointment in the Corps. If so, the individual must submit the required forms. There is no other method to collect this information, and if the information is not collected, there would be no way to determine eligibility for appointment in the Corps. There are no legal obstacles to reduce the burden.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

Each applicant must complete the forms in the electronic application process. The applicant completes only one application for the Corps regardless of the number of professional positions in the HHS Operating Divisions (OPDIVs)/Staff Divisions (STAFFDIVs) and non-HHS organizations in which he/she may be interested. The request fully complies with the regulation.

8. A 60-day Federal Register Notice was published in the *Federal Register* on 9 June 2016, vol. 81, No.111; pp. 37198-37199 (see Tab F). There were/were no public comments.

a. The commissioning application process pertains only to professionals who wish to apply for appointment in the Corps. Therefore, no public comments will be sought or obtained in excess of the *Federal Register* notification.

9. Explanation of Any Payment/Gift to Respondent

No payments or gifts are provided to respondents.

10. Assurance of Confidentiality Provided to Respondents

Data will be kept private to the extent allowed by law, and confidentiality of the data collected is provided pursuant to the Privacy Act of 1974 (5 U.S.C. 552a). Arrangements concerning the handling, storage, and disposition of information are explained in the Privacy Act System of Notice (09-40-0001, PHS Commissioned Corps General Personnel Records, HHS/PSC/HRS) published in the *Federal Register*, Vol. 63, No. 238, page 68596, December 11, 1998 (see Tab E). The methods of collecting and handling the information comply with the Privacy Act of 1974 and OMB Circular A-130, Management of Federal Information Resources, Appendix I, Federal Agency Responsibilities for Maintaining Records About Individuals.

11. Justification for Sensitive Questions

The Corps is not currently collecting information on the PHS-50 about an applicant's race and ethnic background, but form PHS-50 has been revised to contain a request for gender as staff members have found it difficult to ascertain by name how to address an individual in written correspondence, phone conversations, and execution of personnel orders.

Age information historically has been collected on form PHS-50 because this information has a direct bearing on an applicant's qualification for appointment in the Corps. Under 42 U.S.C. 209(a)(3), no individual who has attained the age of 44 may be appointed to the Corps unless the Surgeon General determines that the applicant possesses exceptional qualifications not readily available elsewhere in the Corps. It is important that information about an applicant's age be available on form PHS-50, and this form has safeguards designed to protect data confidentiality. Because of statutory requirements imposed by 42 U.S.C. 209(a)(3), provision of this information is not voluntary for applicants to the Corps.

Naturalized citizens are requested to provide information on form PHS-50 about the date they entered the country, the date they were naturalized, their naturalization number, the person to whom the naturalization number was issued, and the place naturalized. This information is necessary to obtain information from the U.S. Citizenship and Immigration Service in the Department of Homeland Security for purposes of conducting the suitability investigation.

Disclosure of the social security number is mandatory under provisions of the Social Security Act. Corps officers are under Social Security 'covered employment' and taxes must be withheld from their salaries. The social security number is also used as an identifier throughout an officer's career. It is used primarily to identify an officer's personnel, leave, and pay records and to relate one to the other. The social security number is also used in connection with lawful requests for information from former employers, educational institutions, and financial or other organizations. The information

gathered through the use of the number will be used only as necessary in personnel administration processes carried out in accordance with established regulations and published notices of systems of records. The use of the social security number is made necessary because of the large number of officers (active, retired, inactive) and applicants who have identical names and birth dates, and whose identities can only be distinguished by the social security number.

The information requested on form PHS-1813 is needed in order to determine an applicant's suitability for competitive appointment in accordance with Executive Order No. 10450 and regulations prescribed in CCD 123.01, "Involuntary Separation" of the electronic Commissioned Corps Issuance System at <http://dcp.psc.gov>. Appointment boards assess the professional qualifications of applicants and the boards are responsible for making certain that only fully-qualified applicants are recommended for appointment.

1. Estimates of Annualized Hour and Cost Burden

The number of respondents remains the same. The estimated number of respondents for the PHS-50 is 1,000 per year.

Each applicant must complete an original and one copy of form PHS-50. The original is retained for records management purposes

Based on a sample of individuals who completed form PHS-50, the average amount of time required to complete the form is 1 hour. Each applicant must submit references from four (4) individuals. Based on a sample of individuals who completed form PHS-1813, the average amount of time required to complete the form is less than 5 minutes for the applicant, and 15 minutes for each individual who provides a reference.

The prequalification questionnaire is included in the electronic application intake process. The allocation of time is 10 minutes. Currently the entire process is conducted by the Recruitment Branch in the DCCPR.

It should be noted, however, that each applicant is required to complete several DoD forms in order to make application to the Corps:

DD Form 2807-1, Report of Medical History, and
DD Form 2808, Report of Medical Examination.

However, the response burden for these forms is reported annually by DoD. Therefore, the response burden listed below pertains only to form PHS-50, form PHS-1813, and the Commissioned Corps Personal Statement:

12A. Estimated Annualized Burden Hours

Type of Respondent	Form Name	No. of Respondents	No. Responses per Respondent	Average Burden per Response (in hours)	Total Burden Hours
Interested Health Professionals	Prequalification Questionnaire	6,000	1	15/60	1,500
Health Professionals	Form PHS-50	1,000	1	1.0	1,000
References (college professors/teachers)	Form PHS-1813	4,000	1	15/60	1,000
Health Professionals	Addendum: Commissioned Corps Personal Statement	1,000	1	45/60	750
Total					4,250

12B. Estimated Annualized Burden Costs

Type of Respondent	Total Burden Hours	Hourly Wage Rate	Total Respondent Costs
Interested Health Professionals	1,500	\$8.75	\$13,125.00
Health Professionals	1,000	\$75.00	\$75,000.00
References (college professors/teachers)	1,000*	\$35.00	\$35,000.00
Health Professionals	750**	\$75.00	\$56,250.00
Total			\$179,375.00

*Represents four (4) references (15/60) submitted on each applicant's suitability.

** Represents the applicant's personal statement

2. Estimates of Other Total Annual Cost Burden to Respondents or Record keepers/Capital Costs

The only costs to the respondents are the time required to complete the forms in the application process and for the acquisition of college transcripts, a one time cost of approximately \$10 depending on the educational institution, and applicants are also required to pay required postage, a one time cost of approximately \$2.00. There are no other identified costs associated with collection of the information.

Type of Respondent	Number of Respondents	College Transcripts (\$10.00) and Mailing Costs (\$2.00) = \$12.00	Total Respondent Costs
Health Professionals	1,000	\$12.00	\$12,000.00
Total			\$12,000.00

Annualized Cost to the Federal Government

On average, approximately 4 hours of staff time by Recruitment Branch staff of the Division of Commissioned Corps Personnel and Readiness are required to process each application. At approximately \$48.79 per hour (salary plus overhead), the cost of processing by the Recruitment Branch staff is approximately \$195,160.00 per year for 1,000 PHS-50 applications. On average, approximately 1 hour of staff time is required to review each application thoroughly (included in 4 hour total). At \$ 48.79 per hour (salary plus overhead), the cost of professional personnel reviewing applications is \$48,790.00 per year for 1,000 applications. Much of the application processing is conducted on computers at an estimated total amount of \$2,000 per year for use of automated data processing equipment. Thus, the annual cost to the Federal Government for processing 1,000 applications is estimated to be \$26,000.00.

Type of Respondents	Number of Respondents	Staff Hourly Rate (salary plus overhead)	Staff Time Spent on Each Application	Total
Health Professionals	1,000	\$48.79	4 hours	\$195,160.00
Computers	1,000	N/A	N/A	\$26,000.00
Total				\$221,160.00

Explanation for Program Changes

This is an extension request and there are no changes to how candidates receive the application forms.

1. Plans for Tabulation and Publication and Project Time Schedule

The data collected will not be published for statistical use.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

The date of expiration of OMB approval will be displayed, as it is appropriate to do so.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification.

B. Collection of Information Employing Statistical Methods

Not applicable. The information collected will not be analyzed by employing statistical methodology.

May 13, 2016