

SUPPORTING STATEMENT – PART A

DOD CONSOLIDATED ADJUDICATIONS FACILITY
REQUEST FOR RECORDS (DoD CAF Form 3)
OMB #0704-XXXX

A. JUSTIFICATION

1. Need for the Information Collection

The purpose of the information collection is to enable the DoD Consolidated Adjudications Facility (DoD CAF) Privacy Act Office to locate relevant/accurate records when the requester is seeking records about themselves, and provide the requester responsive records pursuant to the Privacy Act of 1974. Authority to collect this information is contained in 5 U.S.C. § 552a, the *Privacy Act of 1974*, as amended; 10 U.S.C. 113, *Secretary of Defense*; 32 C.F.R. part 310, *DoD Privacy Program*, 32 C.F.R. part 311, *Office of the Secretary of Defense and Joint Staff Privacy Program*, and DoD 5400.11-R, *Department of Defense Privacy Program*, and Executive Order 9397, as amended. Additionally, in compliance with the DoD 5200.2-R, *Personnel Security Program*, which stipulates persons undergoing due process to deny/revoke their eligibility for access to classified and/or national security information, are entitled to review the records upon which DoD CAF based its tentative decision.

The DoD CAF is responsible for making clearance eligibility and suitability determinations based upon the review of federal, state, and commercial records in accordance with Federal Adjudicative Guidelines. Once a preliminary or final determination is made, individuals are notified, and may invoke their right to access the records which the DoD CAF relied upon to make the security clearance eligibility decision under the provisions of the Privacy Act.

Information collected includes personal identifiable information (PII) such as, full name, social security number (SSN), address, date and place of birth, and other personal information. The information is used to facilitate identity verification of individuals associated with protecting national security and ensure highly sensitive information pertaining to an individual's access to national security information is not inappropriately disclosed to a third party. The use of PII 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. Use of the Information

Currently, the DoD CAF Privacy Act Office accepts requests for records submitted via e-mail or postal mail, in a letter format with the method of communication is chosen by the requester. Due to the highly sensitive personal information that is contained in our records, we require full name, full social security number, date and place of birth, declaration of

identity and handwritten signature in order to positively verify the identity of the requester per *DoD 5400.11-R, May 14, 2007, section C3.1.3*. The DoD CAF Privacy Act Office understands while individuals are aware they are entitled to receive a copy of the records pertaining to themselves, they are not always aware of procedures required to make such a request. Therefore, our office accepts requests that are oftentimes missing the necessary personal identifiable data necessary for the DoD CAF Privacy Act Office to positively verify the identity of the requester and conduct an adequate search for responsive records. It then becomes necessary for the Privacy Act Office to communicate with the requester to obtain additional information prior to processing the request. The requester is notified, via e-mail from the DoD CAF Privacy Act official e-mail address or via U.S. postal mail (letter format), that additional information is necessary prior to processing their request. Although the information is voluntary, we inform the requester that without the additional information we may be unable to locate relevant records.

The typical first party requester seeks records relating to their access to national security information, and includes contractors, retired or separated active duty members transitioning to civil service or contract employment or those no longer affiliated with the Department of Defense. The appropriate disclosures are included in the proposed form; however, we do inform the requester of Privacy Act and that supplying the information is voluntary. The requester returns the DoD CAF Form 3 via U.S. Postal Service or via email.

Once the DoD CAF receives the completed form, the request is added to the workflow queue to be processed on a first-in, first-out basis. The DoD CAF Form 3 will be used to ensure that the relevant responsive records are retrieved from available data systems. For those records maintained at DoD CAF, but are not under the CAF's release authority, the PAO will ensure those records are referred to the appropriate Federal agencies, who have the jurisdictional control and release authority. The individual's request for records is attached to any referred records, so that the agency is privy to the initial request, and a copy of our response. The completed Privacy Act request case file is retained for 6 years in accordance with NARA's General Records Schedule 4.2, Item 020. Electronic and hard copy records are secured in locked file cabinets in our secure facility located at Ft. Meade, MD.

The information collection tool will decrease the burden on the requester to provide additional required information in order to gain access to their records and to simplify the process for identifying responsive records.

3. Use of Information Technology

The collection does involve a degree of automation, since the form will be available in a portable document file (PDF) format. The form may be provided as a scanned email attachment or via postal mail to the DoD CAF Privacy Act Office. We estimate that 50 percent of the 120 respondents who use the form will submit it electronically; however, since the form contains PII, we recommend respondents use the most secure method available.

The use of an electronic signature is acceptable through the use of U.S. Government credentialing capability such as the Common Access Card (CAC) or Personal Identity

Verification (PIV) card. There is no current ability to cost effectively track and validate other forms of digital signatures.

In addition to providing the DoD CAF Privacy Act Request Form to the requester, we may also post the form on the DoD CAF website in order to make it more widely available. We are limited in our ability to increase the percentage of responses submitted electronically, due to the necessity that the Privacy Act request be notarized or contain a declaration of identity along with a handwritten signature. The provisions of the Privacy Act allow an individual access to information pertaining to them that is maintained in a system of records. The records maintained at the DoD CAF, which a requester is seeking access to, contain sensitive personal, financial, and medical information; thus, our office requires a level of assurance that the person is who they say they are before the DoD CAF is able to grant such access.

4. Non-duplication

In 2012, various DoD adjudicative entities/functions consolidated into the DoD Consolidated Adjudications Facility and prior to the consolidation each adjudicative entity had a different servicing Privacy Act Office, who had their own procedures for requesting records. The information collected via the DoD CAF Form 3 is specific to requesting DoD CAF records and the information is collected only if the individual makes a Privacy Act request. There is no other way to verify the identity of the individual unless the individual provides this specific information.

5. Burden on Small Business

The collection of information does not affect small businesses or other small entities.

6. Less Frequent Collection

If the collection activity was conducted less frequently, the requester would need to provide the necessary information in another format, such as a letter, to request records. The use of the DoD CAF Form 3 is intended to organize the collection of required data elements in accordance with the *Privacy Act of 1974*. Additionally, the information collection tool will simplify the processing of requests, minimize the need to request additional information from the requester, and ensure other Federal agencies that the request being referred has all the necessary information to process the request.

7. Paperwork Reduction Act Guidelines

There are no special circumstances associated with this collection. No requirements are placed on the respondent after providing the information, and the personal information collected is kept confidential. This collection will be conducted in a manner consistent with guidelines contained in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

The 60-day notice for the current OMB approval for this information collection was published in the Federal Register under citation number 80 FR 74770 on Monday, November 30, 2015. The purpose of the Federal Register notice was to solicit comments from the public regarding the collection of information. No comments have been received. The 30-day notice was published in the Federal Register under citation number 81 FR 80048 on Tuesday, November 15, 2016.

Part B: CONSULTATION

Although, we have not shared the proposed form with potential respondents, we did review the most common reasons the DoD CAF Privacy Act Office is unable to process the initial request, and ensured those items were included in the form design. We have consulted with the Office of Secretary of Defense/Joint Staff Privacy Act Office and the DoD CAF Office of General Counsel representatives regarding the design of the form, and to ensure it contained all the necessary disclosure statements.

9. Gifts or Payment

Respondents do not receive gifts or payment in connection with this information collection.

10. Confidentiality

A Privacy Act Statement is included on page 2 of the information collection tool and contains a link to our System of Record Notice at:

<http://dpclld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570753/dwhs-e04/>.

Any disclosure of this information collection tool or the information contained therein is in accordance with the *Privacy Act of 1974*, as amended, and the routine uses found in System of Record Notice (SORN) Office of the Secretary, DoD/Joint Staff, DWHS E04, Privacy Act Case Files. A draft copy of the Privacy Impact Assessment (PIA), DoD CAF Privacy Act Workflow System (PAWS), has been submitted with this package for OMB's review.

The information collection tool is maintained in the Privacy Act Case File and may be retained for up to six years in accordance with NARA and Washington Headquarters Services (WHS) Records Disposition Schedules. The discrepancy between the SORN and how long the information collection tool is maintained is due updated retention information issued by NARA after the publication of the SORN. The NARA General Records Schedule governing Privacy Act case files was published in August 2015 subsequent to the SORN publication date of May 2015. Since the SORN was published prior to the retention period change, the SORN does not contain the updated information. Additionally, we are unable to update the SORN to reflect the current retention information as we are a component of the Washington Headquarters Service, and any revisions to the SORN are accomplished by the

OSD/JS Privacy Act Office.

11. Sensitive Questions

The information collection tool does not ask questions of a sensitive nature pertaining to sexual behavior and attitudes, religious beliefs, race and/or ethnicity, and other matters that are commonly considered private.

Social Security Number (SSN): The collection of a requester’s social security number is necessary to conduct an adequate search of adjudicative records maintained in the DoD CAF system of record. The SSN is the primary personal identifier used in major DoD national security systems, and it remains the only unique identifier that ensures the accuracy across all the systems for proper data retrieval. DoD Instruction 1000.30, *Reduction of Social Security Number (SSN) Use Within DoD*, Enclosure 2, stipulates that the use of the SSN as the single identifier which links adjudicative files pertaining to a person’s security clearance is an acceptable use of the SSN. The solicitation of the SSN is voluntary; however, without it the DoD CAF Privacy Act Office may not be able to retrieve responsive records. See Social Security Number Justification Memo submitted with this package.

12. Respondent Burden, and its Labor Costs

a. Estimation of Respondent Burden

Estimation of Respondent Burden Hours					
	Number of Respondents	Number of Responses per Respondent	Number of Total Annual Responses	Response Time (Amount of time needed to complete the collection instrument)	Respondent Burden Hours (Total Annual Responses multiplied by Response Time) Please compute these into hours)
DoD CAF Form 3	120	1	120	5 minutes	10
Total	120	1	120	5 minutes	10

b. Labor Cost of Respondent Burden

Labor Cost of Respondent Burden					
	Number of Responses	Response Time per Response	Respondent Hourly Wage	Labor Burden per Response (Response Time)	Total Labor Burden (Number of Respondents multiplied by

				multiplied by Respondent Hourly Wage)	Response Time multiplied by Respondent Hourly Wage)
DoD CAF Form 3	120	.083	\$23.23	1.93	\$231.60
Total	120	.083	23.23	1.93	\$231.60

NOTE: The DoD CAF Privacy Act Office respondent pool is extremely diverse, ranging from minimum wage workers to corporate executive officers; therefore we used the annual mean wage of \$48,320 for 2015 as reported by the Department of Labor Bureau of Labor Statistics. Additionally, the average response time is five minutes, consequently we calculate five minutes of an hour to be .083. The Department of Labor Bureau of Labor Statistics Table can be found at http://www.bls.gov/oes/current/oes_nat.htm.

13. Respondent Costs Other Than Burden Hour Costs

- a. Total capital and start-up costs annualized over the expected useful life of the item(s). There are no capital and start-up costs incurred to use the information collection tool.
- b. Total operation and maintenance costs. There is no additional cost to the individual respondent who chooses to use this form in lieu of a handwritten request. There is no set standard to determine cost if respondent chooses to send the information collection tool via postal mail since the cost is dependent on the location of the respondent and method of delivery chosen by the respondent. The DoD CAF Form 3 is an optional form that the requester may use to submit requests for records. We will provide approximately 50 percent of the estimated 120 respondents a paper version of the form, thus the operating costs incurred by the respondent is as follows:

Operating Costs per respondent: 2 cents per sheet of paper + 47 cents postage.
Annual Respondents: 60
Total Costs: \$29.40

14. Cost to the Federal Government

	Collection Instrument #1	Total
Number of Responses	120	120
Processing Time Per Response (in hours)	2	2
Hourly Wage of Worker(s) Processing Responses	\$47.25	\$47.25
Cost to Process Each Response (Processing Time Per Response multiplied by Hourly Wage of	\$94.50	\$94.50

Worker(s) Processing Responses)		
Total Cost to Process Responses (Cost to Process Each Response multiplied by Number of Responses	\$11,340	\$11,340

NOTE: The DoD CAF Privacy Act Office workforce consists of two GS-12s and four GS-13s that process requests, consequently the hourly wages is an estimated based on the base pay with locality pay for a GS-13 Step 3. The source of the estimate was obtained from the Office of Personnel Management (OPM) 2016 General Schedule (GS) Wage Table with Locality Pay Area of Washington-Baltimore-Arlington, DC-MD-VA-WV-PA. Reference:

<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/16Tables/html/DCB.aspx>

Operational and Maintenance Costs						
Equipment	Printing	Postage	Software Purchases	Licensing Costs	Other	Total
\$0	\$1.20	\$28.20	\$0	\$0	\$0	\$29.40

Total Cost to the Federal Government		
Operational and Maintenance Costs	Labor Cost to the Federal Government	Total Cost (O&M Costs + Labor Cost)
\$29.40	\$11,340	\$11,369.4

15. Reasons for Change in Burden

This is an existing collection in use without an OMB Control Number, which results in a program change increase in annual burden and responses of 120 responses and 10 hours respectively.

16. Publication of Results

The information collected on this form will not be published.

17. Non-Display of OMB Expiration Date

The DoD CAF is not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

There are no exceptions to the Certification for Paperwork Reduction Submissions.

