SUPPORTING STATEMENT
Statistical research in archival records containing personal information
(OMB Control No. 3095-0002)

1. **Circumstances Making the Collection of Information Necessary.** The use of some records transferred to the National Archives of the United States is subject to restrictions prescribed by statute or Executive Order, or imposed by the Archivist of the United States under the authority of 44 U.S.C. 2108. The Archivist has imposed restrictions on the use of records containing information about a living person which reveal details of a highly personal nature when: (1) the personal information contained in the records is not known to have been previously made public and (2) the records relate to events less than 75 years old. An exception to this restriction is made for biomedical statistical research under the provisions of 36 CFR 1256.28. NARA needs the information contained in the information collection to evaluate requests for access to records whose use has been restricted because they contain highly personal information.

   Copies of 44 U.S.C. 2108, which authorizes the Archivist to impose restrictions; 36 CFR 1256.56, which imposes the restriction on access to records containing highly personal information; and 36 CFR 1256.28, which contains the information collection requirement, are attached.

2. **Purpose and Use of the Information.** In deciding whether to grant access to the privacy-restricted records, NARA needs information from the requester in order to determine if the requester is a bona-fide medical researcher; if the proposed research methodology will permit the researcher to obtain the projected research results without revealing personally identifying information; and if the safeguards proposed by the requester will adequately protect the personal information. The information will be reviewed by the NARA Access Review Committee.

   If the collection of information was not conducted, NARA would deny access to the records. Agencies, such as the National Institutes of Health, who have in their custody records that would be appropriate for biomedical statistical research may be reluctant to transfer the records to NARA without access procedures in place.

3. **Use of Information Technology and Burden Reduction.** We have attempted to impose a minimum burden on the respondent. There is no improved information technology that would reduce the respondent burden. Since there is only one respondent, at this time, it is not cost effective for NARA to make this information collection GPEA compliant.

4. **Efforts to Identify Duplication and Use of Similar Information.** There is no other source for this information. There is no similar information already available.

5. **Impact on Small Businesses or Other Small Entities.** The information requirements do

not have a significant impact on small businesses or other small entities.

6. **Consequences of Collecting the Information Less Frequently.** The information is to be collected only when the researcher requests access to restricted records to conduct a biomedical statistical research project. It cannot be collected less frequently since NARA must review the proposed methodology and safeguards for each request.

7. **Special Circumstances Relating to the Guidelines of 5 CFR 1320.5.** The collection of information will not be inconsistent with the guidelines in 5 CFR 1320.5.

8. **Comments in Response to the Federal Register Notice and Efforts to Consult Outside Agency.** When this information collection was first imposed in 1987, it was included in the proposed rule that prescribed the collection. We have received no requests since the rule was promulgated; therefore, no additional consultation has taken place. A Federal Register Notice was published November 29, 2016 (81 FR 86021). No comments were received.

9. **Explanation of Any Payment or Gift to Respondents.** No payment or gift provided to respondents for providing this information.

10. **Assurance of Confidentiality Provided to Respondents.** Information about researchers is maintained in Privacy Act systems NARA-1 and NARA-2. As a matter of NARA policy, information concerning the subject of a researcher's work normally is not released to other researchers. (Information about a researcher is withheld under FOIA exemption b(6) and information about his or her research is withheld under FOIA exemption b(4).) However, if a respondent who is granted access to restricted records violates the conditions of that access, 36 CFR 1256.28 provides that NARA may inform the following persons and organizations of the researcher's failure to follow the conditions of use: the institution with which the researcher is affiliated, persons who served as references, organizations which provided grant funds for the project, the sponsor of the publication or public presentation, and professional organizations.

11. **Justification for Sensitive Questions.** No questions of a sensitive nature are asked.

12. **Estimates of Hour Burden Including Annualized Hourly Costs.** The estimated annual burden is 7 hours, based on 1 request per year.

13. **Estimate of Other Total Annual Cost Burden to Respondents or Recordkeepers.** The estimated annual cost to each respondent is $150, for a total annual respondent burden of $150. It is assumed that a respondent would make only one request per year. The cost includes three hours of effort by the principal researcher (at $30.00 per hour) and four hours of effort by a research assistant (at $15.00 per hour).

14. **Annualized Cost to the Federal Government.** The estimated annual cost to the Federal Government is $420. The cost is based on an estimate of the time spent by the Access Review Committee evaluating the request and time spent by an archivist reviewing the

requested records to provide an assessment of the privacy concerns in the records. There are no printing or equipment costs.

15. **Explanation for Program Changes or Adjustments.** There are no changes in the currently approved burden.

16. **Plans for Tabulation and Publication and Project Time Schedule.** The results of this collection of information are not planned to be published for statistical purposes.

17. **Reason(s) Display of OMB Expiration Date is Inappropriate.** The OMB approval number is displayed in the regulation.

18. **Exceptions to Certification for Paperwork Reduction Act Submissions.** There are no exceptions to the certification statement identified in Item 19 of OMB Form 83-1, "Certification for Paperwork Reduction Submissions."