

## **SUPPORTING STATEMENT**

OMB #1530-0060

### **Justification for:** Background Investigation Inquiry Forms

FS Form 5518 — Investigative Request for Personal Information.

FS Form 5519 — Investigative Request for Law Enforcement Data.

FS Form 5520 — Investigative Request for Educational Registrar and Dean of Students Record Data.

FS Form 5521 — Investigative Request for Employment Data and Supervisor Information.

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

Executive Order (EO) 10450 requires agency heads to classify positions for sensitivity in relation to national security or suitability for federal employment. An investigation appropriate to the sensitivity level is required on each person employed by the Government to determine that the employment is clearly consistent with the interest of the Government. This order also grants the U.S. Office of Personnel Management (OPM) oversight responsibility for its implementation Government-wide. Additionally, Executive Order 13467, Reforming Process Related to Suitability for Government Employment, further establishes guidelines for evaluating background investigation information to ensure that employees are suitable for Government employment, eligible for logical and physical access to a federal facility, or eligible to work for the government in a sensitive position. The Bureau of the Fiscal Service (Fiscal Service) has traditionally used the services of the Office of Personnel Management to conduct the required background investigations on Fiscal Service employees and contractors. However, in 2006, OPM formally delegated that task to Fiscal Service with the condition that bureau personnel conduct these investigations adhering to EO 12968 and OPM standards for the position sensitivity investigation specified in the OPM Handbook. Several of the required investigation types require a written inquiry be used to contact the listed references of the employees/contractors, to verify a college degree, or to contact a local police agency. In the past, this function was performed by OPM; however, under the delegation and to adhere to OPM guidelines, Fiscal Service must now assume this role and responsibility. Fiscal Service cannot perform its mandated role of conducting the required background investigations that adhere to federal law without having these forms.

**2. Indicate how, by whom, and for what purpose the information is to be used.**

Information is gathered for use solely by the Bureau's Personnel Security Section after an offer for employment from Fiscal Service has been accepted by the subject of the investigation. Specifically, the inquiries are distributed on a case-by-case basis to law enforcement, employment references, associates, and schools

attended depending on information provided by the subject on a signed Release of Information. After these forms are returned, the information provided is analyzed within the context of the background investigation by the investigator to provide a general overview of a person's character and reputation.

- 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. What consideration is given to use information technology to reduce burden?**

The forms are available from the Bureau of the Fiscal Service as a fill-in PDF form.

The Bureau of the Fiscal Service conducts a Privacy Impact Assessment (PIA) on information systems collecting personally identifiable information from the public. We do PIAs to ensure that:

- we tell the public the information that we collect about them,
- we adequately address impacts these systems have on personal privacy,
- we collect only enough personal information to administer our programs, and no more

Also, PIAs confirm that we use the information for the purpose intended; that the information remains timely and accurate; that it is protected while we have it, and we hold it only for as long as we need it.

The information collected from the Investigative Forms is included in the PIA available at [https://www.fiscal.treasury.gov/fsreports/rpt/fspia/paws\\_pia.pdf](https://www.fiscal.treasury.gov/fsreports/rpt/fspia/paws_pia.pdf)

- 4. Describe efforts to identify duplication. Why can't any similar information already available be used or modified for use for the purposes described in item 2 above?**

The information is collected on a case-by-case basis for the purpose(s) and manner described in question 1. Therefore, no duplication of this process occurs.

- 5. If the collection of information impacts small business or other small entities describe any methods used to minimize burden?**

One form in the collection may be provided to small businesses that employ or that have employed the subject of the investigation. The collection is brief and voluntary to minimize burden.

- 6. What consequences to Federal program or policy activities and what, if any, technical or legal obstacles to reducing burden will occur if this collection is not conducted or is conducted less frequently?**

Without the investigative forms in this collection, Fiscal Service cannot perform

its mandated role of conducting the required background investigations that adhere to federal law.

**7. Is this collection of information conducted in a manner consistent with the guidelines of 5 CFR 1320.6?**

The collection of information cannot be conducted less frequently because each collection is initiated for a single purpose.

**8. What effort was made to notify the general public about this collection of information?**

The Bureau's notice was published in the Federal Register on September 19, 2017 on page 43820. No comments were received.

**9. What decision was made to provide any payment or gift to respondents, other than remuneration of contractors or grantees?**

There are no payments or gifts made to respondents.

**10. What assurance of confidentiality was provided to respondents and what was the basis for the assurance in statute, regulations, or agency policy?**

Third parties who provide information about candidates are informed that the individual about whom information is furnished provided written authorization for the investigative inquiry. This consent form authorizing the investigation is available for inspection before third parties provide any information relevant to the investigation. Third parties who provide information relevant to the investigation are expressly told on the form that the information they provide may be disclosed to the person being investigated and to other federal agencies. After the information is collected, it is protected by the Privacy Act and is only shared in accordance with the routine uses stated in the applicable System of Records: Treasury/BPD.001 – Human Resources and Administrative Records.

**11. What justification is there for questions of a sensitive nature?**

The information collected is necessary to determine if a candidate is suitable for Government employment, eligible for logical and physical access to a federal facility, or eligible to work for the government in a sensitive position. In this context, FS Form 5518 and 5521ask open ended questions about the investigative subject's abuse of alcohol and/or drugs and mental or emotional stability. The candidate's Social Security Number is provided on FS Form 5519, 5520, and 5521 in rare instances where the name, address, date of birth, and place of birth is not sufficient to identify the person under investigation. Though a space is designated for the information, it is generally omitted by the Personnel Security Section and only provided if the recipient of the investigative form requests it to

allow a distinction to be made between the subject and individuals with the same or similar names who have criminal records.

**12. What is the estimated hour burden of this collection of information?**

The average time needed is 10 minutes per response multiplied by the estimated number of responses (750) reflects the total burden of 125 hours.

**13. What is the estimated total annual cost burden to respondents or recordkeepers resulting from this collection of information?**

Estimated cost burden to respondents is not available.

**14. What is the annualized cost to the Federal Government?**

The following factors were used to estimate the annual burden to this agency:

- a. Printing cost - estimated number of forms printed annually, multiplied by the unit cost of the forms.
- b. Case processing cost – estimated number of forms completed, multiplied by a percentage of the unit cost of case processing.
- c. Forms management cost - salary cost of forms management personnel.

Printing Cost	750 @ \$.05	= \$ 37.50
Case processing cost	750 @ 1.50/form	= \$ 1,125.00
Forms Management Cost		= \$ <u>500.00</u>
Total Cost		\$ 1,662.50

**15. What is the reason for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I?**

No changes or adjustments are reported.

**16. For collections of information whose results will be published, outline plans for tabulation and publication.**

The results of the collection of this information will not be published for statistical use.

**17. If seeking approval to not display the expiration date for OMB approval of this information collection, what are the reasons that the display would be inappropriate?**

The public interest will be better served by not displaying an expiration date on this collection of forms. The time period during which the current edition of the form will continue to be usable cannot be predicted. It could easily span several cycles of review and OMB clearance renewal. Displaying the expiration date would make it necessary to update the electronic form and website where it is accessed after each renewal. Additionally, not displaying the expiration date on

the form will avoid confusion among members of the public who may have identical forms with different expiration dates in their possession. By not displaying the expiration date, supplies of the form could continue to be used regardless of when the OMB approval has expired. This would reduce costs incurred through additional printing and desktop publishing.

**18. What are the exceptions to the certification statement?**

There are no exceptions to the certification statement.