

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request

OMB 1140-0068 (Police Check Inquiry - ATF F 8620.42)

A. JUSTIFICATION

1. Necessity of Information Collection

Pursuant to a Memorandum of Understanding and Agreement, hereinafter referred to as a MOU between the Office of Personnel Management (OPM) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), ATF is authorized to conduct security and suitability background investigations on applicants for, or appointees of, positions within ATF. Also, pursuant to Executive Orders 10450 and 13467, ATF also has the authority to conduct suitability background investigations on contractors and other non-ATF personnel who have a need to access ATF information, information technology systems, and/or facilities. Typically, in its normal course of business, ATF contracts out a myriad of services to private industry. These services include, but are not limited to, janitorial and cleaning, maintenance and repair, professional and legal, information technology, laboratory, and construction services. Additionally, ATF often seeks the services of consultants to provide advice in their particular field of expertise. In the area of law enforcement, ATF routinely asks members of State and local law enforcement agencies to join in a multi-jurisdictional approach to combating crime. In those instances, State and local law enforcement officers not only share ATF space and facilities, but also have access to ATF computer systems and intelligence apparatus.

In the event a contractor or other type of non-ATF personnel requires escorted access to facilities, ATF will perform a Police Check Inquiry, using ATF Form 8620.42. Escorted access to ATF facilities will not be authorized until a favorably adjudicated police check inquiry is conducted.

ATF Requests the approval of the following revisions to this Information Collection OMB 1140-0068:

- Eliminate the Pre-Screening Qualifications Certification - ATF Form 8620.62, which was previously used to compile information necessary to conduct pre-screening qualification determinations for those individuals requiring unescorted access to ATF information, information technology systems, and facilities.

- The following changes will be made to the Police Check Inquiry - ATF Form 8620.42:

Instructions were edited to inform applicants who are visiting ATF facilities for up to five (5) days that they will be required to only fill out sections 1 – 12 only, and include their signature on the bottom of the form prior to submission. However, applicants that are visiting ATF facilities for more than five (5) days, will be required to fill out the entire form.

2. Needs and Uses

ATF Form 8620.42 is an internal use form to gather preliminary information from an individual requiring escorted access to ATF facilities. This information is necessary to permit ATF to complete and/or initiate a police check inquiry consisting of criminal record searches. The form asks for identifying information such as name, social security number, date of birth, place of birth, race, sex, any aliases, naturalization information, current and previous addresses, and current and previous employers. In order to ensure compliance with DOJ's residency requirement, ATF must review the individual's home addresses for the last 5 years. According to DOJ, an individual who has not resided in the United States for 3 out of the past 5 years (with a few exceptions) cannot obtain approval to access DOJ information, IT systems, and/or facilities. In addition, in order to perform the mandatory police checks in jurisdictions covering the past 5 years, employment and home addresses are required. Should ATF determine from the information supplied, that the applicant individual has a criminal record, or is otherwise disqualified, the individual will be denied escorted access to ATF facilities.

3. Use of Information Technology

ATF makes every effort to take advantage of the electronic collection and dissemination capabilities available. However, the fillable forms are available on the ATF website to download and print. The forms may be submitted to ATF by scanning the completed and electronically/digitally signed document and emailing them to a specific ATF email address. Individuals with disabilities can access this form.

4. Efforts to Identify Duplication

Similar information is available from another collection source. However, such collection would be more burdensome on the respondent than what ATF Form 8620.42 requires. Persons requiring access to certain levels of sensitive or classified information must complete the Questionnaire for National Security Positions (SF-86) or a Questionnaire for Public Trust Positions (SF-85P) through the Office of Personnel Management's Electronic Questionnaires for Investigations Processing (e-QIP) system. The SF-86 and

SF-85P require the respondent to supply certain personal identifying information so that the investigating agency may conduct the requisite criminal record searches, security index inquiries, credit inquiries, and other background information relevant to the respondent. The e-QIP process takes a respondent several hours to complete. We propose to screen those individuals requiring escorted access to ATF facilities by having them complete the ATF Form 8620.42. By doing so, the burden associated with completing the SF-86 or SF-85P will be eliminated if the individuals do not meet the DOJ and ATF's basic qualification requirements. Sufficient identifying information must be provided by the respondent to allow the ATF to conduct a police check inquiry on their behalf. No other form currently in use by ATF, other than e-QIP's SF-86 and SF-85P sufficiently details the particular of a respondent's personal identifying information.

5. Minimizing Burden on Small Businesses

This information collection has no effect on small businesses. The information sought is personal in nature and is sought for the sole purpose of positively identifying a person undergoing a police check inquiry.

6. Consequences of Not Conducting or Less Frequent Collection

As an agency upholding the laws of the United States, we must ensure ATF employees and non-ATF personnel portray the highest degree of integrity and character. We must also ensure the safety and security of our government facilities, information, and information technology systems. ATF Form 8620.42 is the primary vehicle used to gather the personal identifying information necessary to conduct the Police Checks, for those individuals requiring escorted access to ATF facilities. Not collecting this information could prevent ATF from ensuring the safety and security of its resources.

7. Special Circumstances

This information collection requirement is consistent with the intent of Executive Order 10450. The information sought is necessary to permit ATF to positively identify a person seeking escorted and unescorted access to ATF information, information technology systems, and facilities. There are no circumstances that would cause the information collection to be conducted in any manner:

- Requiring respondents to report information to ATF more than quarterly;
- Requiring respondents to prepare a written response in fewer than 30 days;
- Requiring respondents to submit more than an original of any document;
- Requiring respondents to retain any records;
- Requiring the use of any statistical data;
- Requiring any pledge of confidentiality; or
- Requiring respondents to submit any proprietary or trade secrets.

8. Public Comments and Consultations

No comments were received for either the 60-day or 30-day notices that were published in the Federal Register.

9. Provision of Payments or Gifts to Respondents

No decision of payment or gift is associated with this collection.

10. Assurance of Confidentiality

Protection is afforded the respondent pursuant to 5 USC § 552(a). However, the respondent is advised that the information collection will be used for the specific purpose of positively identifying the respondent in connection with conducting criminal records searches at the Federal, State, and local levels or determining if respondents meet DOJ and ATF basic qualification requirements. Information collected by the Physical Security Programs Branch (PSPB), Personnel Security Division (PSD), or ATF field division is protected by the Privacy Act of 1974 and should not be released to outside parties who do not have a need to know under the routine use clause of the Privacy Act of 1974. The respondent's information on ATF Form 8620.42 is kept in a secure location at headquarters within the PSPB and is to be held in reserve for one year or the duration of the contract, whichever is longer.

11. Justification for Sensitive Questions

ATF Form 8620.42 ask respondents to provide his or her personal identifying information, including social security number. This information is necessary to positively identify respondent when conducting criminal record searches. This information collection protects the respondent from erroneous information collected, in that the personal identifying information supplied significantly reduces any likelihood of false records.

12. Estimate of Respondent's Burden

ATF Form 8620.42 – It is anticipated that 1,000 respondents will complete the form. Each respondent will respond one time, therefore, the total number of responses will be 1,000. It is estimated that it takes 5 minutes to complete the form. The total burden associated with this collection instrument is 83 hours.

13. Estimate of Cost Burden

There is no new or annualized cost associated with this information collection.

14. Cost to Federal Government

ATF estimates that the cost to the Federal government for this information collection is approximately \$1,500 per year.

15. Reason for Change in Burden

The reason for the decrease in burden i.e. a reduction of respondents by 1,500, and burden hours by 175, is due to the elimination of the ATF Form 8620.62 from this collection.

16. Anticipated Publication Plan and Schedule

ATF will not publish this information collection.

17. Display of Expiration Date

ATF is not requesting approval to omit the expiration date for this information collection.

18. Exception to the Certification Statement

There are no exceptions to the Certification Statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

None