

SUPPORTING STATEMENT - PART A

(Basic Criminal History and Statement of Admission (Department of Defense Child and Youth (C&Y) Programs/Child Care Services Programs) – OMB Control Number: 0704-0516)

1. Need for the Information Collection

The information collection requirement is necessary to obtain a self-reported record of criminal history from each contractor, volunteer, family child care provider, family child care adult family member residing in the home.

Authority is granted by 42 United States Code § 13041 which requires the application for individuals who are seeking work for an agency of the Federal Government, or for a facility or program operated by (or through contract with) the Federal Government, contain a question asking whether the individual has ever been arrested for or charged with a crime involving a child, and if so requiring a description of the disposition of the arrest or charge. An application must also state that it is being signed under penalty of perjury, with the applicable Federal punishment for perjury stated on the application. DoD Manual 1402.05, Background Checks on Individuals in DoD Child Care Services Programs requires individuals who are affected by this policy to annually self-report changes to his or her status utilizing this form.

2. Use of the Information

- Individuals who are interested in working for the DoD or for a program operated by or through a contract with the DoD must complete the form prior to working with children under the age of 18 years.
- Respondents include DoD contractors, family child care providers, family child care adult family member residing in the home, and specified volunteers as designated by the installation commander.
- The form requires disclosure of any arrests, charges or convictions that would keep the individual from obtaining or maintaining a favorable suitability or fitness determination.
- Individuals must declare if they have been arrested, charged, or convicted by Federal, State, or local authorities for any violation of any Federal law, military law, municipal law, or have met the Family Advocacy criteria for child maltreatment for the following: child abuse and neglect; sex crimes; crimes involving drugs and/or alcohol, domestic violence, or violent crimes or assaultive behavior.
- Individuals are not required to disclose information about incidents that occurred prior to their 16th birthday or traffic fines of less than \$300.
- Disclosure is voluntary; however, failure to furnish all the requested information may impact the individual's ability to work with and around children.

- Respondents are provided the collection instrument during the initial hiring or during orientation to the Childcare Services Program.
- The collection instrument requires each respondent to complete the form using pen or pencil or electronically (using a computer). The respondent may receive assistance in filling out the form, such as having the form read to them by the human resource officer or security manager. The individual must sign.
- The form is completed at the program site and securely saved by the program manager or human resource office.
- There are no other communications sent to the respondent associated with the information collection.
- The program manager reviews the form and, if no derogatory information is disclosed, the form is securely saved until the annual update. If derogatory information is disclosed, the program manager consults with the installation Human Resource officer or security monitor.
- Respondents who are part of the military child development program workforce are required to update the form on an annual basis by reviewing the information and signing the form. Each child development program office is responsible for notifying the individual in person or by phone or email when it's time to update the form. The respondent indicates changes to their status through a yes or no response with an accompanying signature.
- Respondents who are part of the military child development program workforce will complete a reinvestigation of all background checks, to include the FBI fingerprint check and State databases, must be completed, at the end of the five year period,. These reinvestigations are initiated and adjudicated outside of the Child and Youth program office.

3. Use of Information Technology

Currently, the form is exclusively collected in hard copy with 0% of responses collected electronically. The form is collected at the installation level. The Department will work with installation-level human resource offices, through the Military Services Child and Youth Program offices, to establish new protocols for accepting the document via email.

The form will be formatted to collect responses via printed copy and electronically. Offices responsible for utilizing the form will be encouraged to utilize the electronic submission and to provide the respondent access to a computer. In addition, the form has been modified to allow its use for a five year period for use by the child and youth workforce, thereby reducing the amount of paper used. The modification consists of adding a signature and date field, one per each additional year, in the section where the individual annually certifies that they have not been arrested, charged, or convicted in the past year.

4. Non-duplication

The information obtained through this collection is unique and is not already available for use or adaptation from another cleared source on an annual basis.

5. Burden on Small Businesses

This information collection does not impose a significant economic impact on a substantial number of small businesses or entities.

6. Less Frequent Collection

The frequency of collection is required DoD policy and is intended to mitigate the risk of individuals with specific criminal backgrounds (child abuse or sex offenders, for example) having access to children.

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d) (2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice for the collection published on Thursday, March 29, 2018. The 60-Day FRN citation is 83 FR 13482.

No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice for the collection published on Tuesday, June 26, 2018. The 30-Day FRN citation is 83 FR 29766.

Part B: CONSULTATION

No additional consultation apart from soliciting public comments through the 60-Day Federal Register Notice was conducted for this submission.

9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Confidentiality

The Privacy Act Statement is located on the top third of the form in the section labeled PRIVACY ACT STATEMENT and clearly visible to the respondent when completing the form. The information collection requires a System of Record Notice (SORN). Each military Department has a SORN and maintains a Records Retention and Disposition Schedule as stated.

Army: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/570012/a0215-fmwrc.aspx>

RETENTION AND DISPOSAL: Data is encrypted and password protected. The system is only accessible to registered users by access through login and password that is activated upon registration. Registrants must click the activation email in order to activate their login.

Navy: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/570428/nm01754-3.aspx>

RETENTION AND DISPOSAL: Records are kept for two years after individual is no longer in the Child Development Program and then destroyed by burning, shredding, macerating, pulping, degaussing, erasing, or other appropriate means.

Air Force:

<http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/569755/f034-af-sva-c/>

RETENTION AND DISPOSAL: Retained in office files for one year after child/youth leaves program or until parent/FCC provider requests transfer of records to another base, whichever comes first. In the event the records are not transferred, they will be destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Computer records are destroyed by erasing, deleting or overwriting.

A Privacy Impact Assessment (PIA) is not required for this collection because PII is not being collected electronically.

11. Sensitive Questions

Item 6 of the form requests information about an individual's record of arrests, charges, or convictions by Federal, State, or local authorities for any violation of any Federal law, military law, municipal law, or incidents when the individual met the Family Advocacy criteria for child maltreatment for the following: child abuse and neglect; sex crimes;

crimes involving drugs and/or alcohol, domestic violence, or violent crimes or assaultive behavior.

This information collection is required under authority of 42 United States Code § 13041 and is used to determine an individual's suitability or fitness for working with children.

12. Respondent Burden and its Labor Costs

a. Estimation of Respondent Burden

1. Basic Criminal History and Statement of Admission (Department of Defense Child and Youth (C&Y) Programs)

- a. Number of Respondents: 5,000
- b. Number of Responses per Respondent: 1
- c. Number of Total Annual Responses: 5,000
- d. Response Time: 15 min.
- e. Respondent Burden Hours: 1,250 hours

2. Total Submission Burden

- a. Total Number of Respondents: 5,000
- b. Total Number of Annual Responses: 5,000
- c. Total Respondent Burden Hours: 1,250 hours

b. Labor Cost of Respondent Burden

1. Basic Criminal History and Statement of Admission (Department of Defense Child and Youth (C&Y) Programs)

- a. Number of Total Annual Responses: 5,000
- b. Response Time: 15 minutes (0.25 hours)
- c. Respondent Hourly Wage: \$26.00
- d. Labor Burden per Response: \$6.50
- e. Total Labor Burden: \$32,500

2. Overall Labor Burden

- a. Total Number of Annual Responses: 5,000
- b. Total Labor Burden: \$32,500

The Respondent hourly wage was determined by using the Bureau of Labor Statistics website hourly wage of \$26.00 for the Education and health services industry:

<https://www.bls.gov/news.release/empst.t19.htm>

13. Respondent Costs Other than Burden Hour Costs

There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Cost to the Federal Government

a. Labor Cost to the Federal Government

1. Basic Criminal History and Statement of Admission (Department of Defense Child and Youth (C&Y) Programs)

- a. Number of Total Annual Responses: 5,000
- b. Processing Time per Response: 0.25 hours
- c. Hourly Wage of Worker(s) Processing Responses: \$22.11
- d. Cost to Process Each Response: \$5.53
- e. Total Cost to Process Responses: \$27,650

2. Overall Labor Burden to Federal Government

- a. Total Number of Annual Responses: 5,000
- b. Total Labor Burden: \$27,650

The hourly wage was determined by using the OPM Website (GS9 Step 3 as average):
<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>

b. Operational and Maintenance Costs

- a. Equipment: \$0
- b. Printing: \$550
- c. Postage: \$0
- d. Software Purchases: \$0
- e. Licensing Costs: \$0
- f. Other: \$0
- g. Total: \$550

- 1. Total Operational and Maintenance Costs: \$550
- 2. Total Labor Cost to the Federal Government: \$27,650
- 3. Total Cost to the Federal Government: \$28,200

15. Reasons for Change in Burden

This is a reinstatement, with change, of a previously approved collection for which approval has expired. The burden has increased since the previous approval due to the use

of an average wage of \$26.00 per hour rather than using the minimum wage to calculate the burden. Additionally, this submission accurately reflects the amount of time needed to respond using the DD Form 2981, which was underestimated in the last submission. There are no increases in the number of responses and the collection process is not changing from the previous submission.

16. Publication of Results

The results of this information collection will not be published.

17. Non-Display of OMB Expiration Date

We are 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”

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.