

National Credit Union Administration
SUPPORTING STATEMENT

NCUA Personnel Security Processing Forms
(NCUA Forms 1092, 1092C, and 1093)
OMB No. 3133-NEW

Summary of Action – Emergency Justification:

The National Credit Union Administration (NCUA) requests emergency consideration under the Paperwork Reduction Act (PRA) for information collection requirements for NCUA's Personnel Security (PERSEC) Forms. All federal and contract employees (jointly referred to as employees) assigned to work for or on behalf of the NCUA must undergo a background investigation in accordance with 5 CFR Part 731 (suitability), Executive Order (E.O.) 13764 (contractor fitness), E.O. 12968/SEAD 4 (classified access), and Homeland Security Directive-12 (badging). The agency's employees require physical and/or logistical access or access to information, which necessitates the individuals to undergo background checks and apply government-established suitability, fitness, or security criteria. The background investigation process culminates in an adjudicative determination on whether or not these employees are fit to perform services on behalf of the agency. The pre-employment checks and initial adjudicative must be completed prior to the onboarding of the employee with NCUA.

A. JUSTIFICATION

1. Circumstances that make the collection of information necessary.

The legal authority for this collection is Title 5, Code of Federal Regulations, Part 731 (suitability), Executive Order (E.O.) 13764 (contractor fitness), E.O. 12968/SEAD 4 (classified access), and Homeland Security Directive-12 (badging). The NCUA has a responsibility to protect the public, agency employees, and contractors through a background check and application of government-established suitability criteria to ensure reliability, trustworthiness, good conduct and character. This process is necessary to allow the NCUA to meet its responsibilities and mitigate any threats to the public.

2. Purpose and use of the information collection.

This information collection applies to federal and contractor employees. The information obtained will be used by the NCUA to conduct a background check in accordance with the above mentioned authorities to determine whether these employees are qualified to carry out the duties with appropriate integrity, efficiency, and effectiveness.

An employee will only be required to submit a background check to NCUA if they are seeking employment with or to perform services for the agency. The information collected is necessary for applying the Government-established suitability/fitness criteria on employees before they can begin employment with or perform contractual services for the NCUA. However, if the employee is promoted to a new position, transfer to another contract, or requests permission for a

detail assignment, the individual may have to fill out the forms again to initiate a higher level investigation.

- The *Personnel Security Data Form-Contractor (NCUA Form 1092C)* and *Personnel Security Data Form-Employee (NCUA Form 1092)* is used to collect all necessary PII, citizenship status, position, and contact information. The information is required by NCUA to ensure an efficient and timely background investigation for employees without any significant delay in the hiring process.
- The *Authorization for Release of Credit Information (NCUA Form 1093)* mandated by the Fair Credit Reporting Act (15 U.S.C. §1681b (b)(1)), requires a signed authorization for disclosure of credit information (credit report) must be signed by an individual for the purposes of employment by NCUA.

3. Use of information technology.

The Personnel Security (PERSEC) forms are available on NCUA's internal SharePoint site to facilitate its access by the Contracting Officer's Representative (COR) or NCUA Office of Human Resources (OHR) point of contact. The forms are available electronically and fillable online to ease completion of the form.

4. Duplication of information.

Some information collected on the Personnel Security Data Forms is duplicative of information collected via the OF-306, *Declaration for Federal Employment* (OMB No. 3206-0182). However, the Personnel Security Data Forms are not always accompanied by the OF-306. The Data Forms may also be used to process a reinvestigation for an employee already onboard, facilitate a contract transfer, or process a detail assignment request.

5. Efforts to reduce burden on small entities.

This collection affects individuals and does not impact small businesses or other small entities.

6. Consequences of not conducting the collection.

The information collected is required to conduct a background investigation in accordance with the above listed authorities for employees. If this information is not collected, the NCUA would not be able to meet its mission by providing a safe and sound credit union system, and the individual would not be considered for employment.

7. Inconsistencies with guidelines in 5 CFR 1320.5(d)(2).

There are no special circumstances. This collection is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Efforts to consult with persons outside the agency.

This is a request for emergency consideration. If approved, NCUA will publish a 60-day Federal Register notice soliciting comments from the public during the 90-day emergency period and make subsequent PRA submission for regular clearance at the end of the emergency approval period.

9. Payment or gifts to respondents.

There is no intent by NCUA to provide payment or gifts for information collected.

10. Assurance of confidentiality.

There is no assurance of confidentiality other than provided by law. The information collected is maintained and protected in accordance with the Privacy Act requirements.

11. Questions of a sensitive nature.

Personnel Access and Security System (PASS), NCUA-1 collects and maintains information on individuals requiring access to NCUA-controlled facilities and information technology systems, as well as contractors requiring suitability, fitness and/or national security determinations.

Information in this system is safeguarded in accordance with the applicable privacy laws and rules. Access to privacy related information in this system such as a social security number is password protected and restricted to authorized personnel. The SSN is required to ensure evidence of the identity of the individual for employment.

The SORN for this system has been published in the Federal Register under 81 FR 12748.

12. Burden of information collection.

The Personnel Security forms are generated as part of a background investigation on a new employee once the onboarding or contract selection process has been initiated. It may be required again should the contract employee be moved to new contract work. The NCUA processes on an annual basis approximately 400 new contract employees, 100 new federal employees, and 200 reinvestigations, which will require the Personnel Security forms. Of note, an employee will either fill out the *Personnel Security Data Form- Contractor* or *Personnel Security Data Form- Employee* based on their classification.

For contractors, the *Personnel Security Data Form- Contractor* may be filled out again if they transfer to a new contract. However, from a statistical standpoint we would consider that a new request. So those individuals are already included in the number of annual responses.

		#	# Responses Per	Annual	Hours Per	Total Annual
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Form Name	Form Number	Respondents	Respondent (frequency)	Responses	Response	Burden Hours
Personnel Security Data Form- Contractor	1092C	400	1.5	600	0.166	100.00
Credit Release	1093	500	1	500	0.166	83.33
Personnel Security Data Form- Employee	1092	100	1	100	0.166	16.67
Total		500	2.4	1,200	0.166 (10 minutes)	200

Based on the labor rate of \$ 24 per hour, the total cost to respondents is \$4,800.

13. Capital start-up or on-going operation and maintenance costs.

There are no capital/start-up or ongoing operations/maintenance costs associated with this information collection.

14. Annualized costs to Federal government.

Cost Center	Total Cost per Year
Intake Processes	\$110,000
OPM Background Investigations	\$310,000
Credit History Searches	\$5,500
Case Management System Licenses	\$9,325
Total Cost to Government	\$434,825

15. Changes in burden.

This is a new collection.

16. Information collection planned for statistical purposes.

The information is not planned for publication.

17. Request non-display the expiration date of the OMB control number.

The display of an expiration date may cause confusion among respondents when providing information by a prescribed date because minor technical changes to an electronic system would impose additional time and resources if no other information was to change. Non-display of the expiration date of the OMB approval is requested.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not involve statistical methods.