

## **SUPPORTING STATEMENT – PART A**

### **AAFES Accident/Incident Reports (0702-0138)**

#### 1. Need for the Information Collection

The Army and Air Force Exchange Service (AAFES) is a Non-Appropriated Fund (NAF) instrumentality of the United States of America. Pursuant to Army Regulation 215-8/AFI 34-211(I) Chapter 13 and to adhere and resolve eligible patron issues and concerns, collection of information is required from the public to record incidents such as accidents, injuries, illnesses, mishaps, fires, theft or any issues involving Government property. The recording of this information is necessary as a basis for payment of claims, providing medical treatment to those who are injured or ill, recovering damages on Government property or assets, shoplifting and theft, and having supporting evidence in the event of legal actions.

The Secretary of Defense has vested in the Secretary of the Army and the Secretary of the Air Force all functions, powers, and duties relating to AAFES activities within their respective military departments. This authority is held jointly and equally. This prescribing directive, which governs and authorizes AAFES for mission activities, is Army Regulation 215-8/Air Force Instruction 34-211(I), *Army and Air Force Exchange Service Operations*. In accordance with Title 10, U.S.C. §7013, *Secretary of the Army* and §9013, *Secretary of the Air Force*, AR 215-8/AFI 34-211(I) charges the Army and Air Force Exchange Service (AAFES) with the responsibility of investigating and processing all accidents and incidences within the applicable department regulations.

Title 29 CFR, Part 1960, *Basic Program Elements for Federal Employee OSHA and Related Matters* provides guidance on agency inspections.

The authority to collect and recover funds relative to debts incurred for government losses is governed by the *Federal Claims Collection Act of 1966* (Pub.L. 89-508, as amended), *Debt Collection Act of 1982* (Pub.L. 97-365, as amended), as codified in 31 U.S.C. §3711, *Collection and Compromise*, 31 CFR 285.11, *Administrative Wage Garnishment*, DoD Instruction 1330.21, *Armed Services Exchange Regulations*, DoD 7000.14-R, *Department of Defense Financial Management Regulation Volume 13, Nonappropriated Funds Policy* and Volume 16, *Department of Defense Debt Management*.

Executive Order 12196, *Occupational Safety and Health Programs for Federal Employees*, assures prompt abatement of all unsafe or unhealthy conditions.

Army Regulation 27-20, Chapter 4, *Legal Service Claims* authorizes the payment of money for damages for injury or death, or property damages caused by a negligent act or omission of an employee of the United States acting within the scope of employment.

Air Force Instruction 51-501 implements Air Force Policy Memorandum AFPD51-5, section A, *Administrative Claims* provides authority for investigation, adjudication, and settling tort claims.

Executive Order 9397 (SSN), as amended allows AAFES to collect Social Security Numbers in order to process such claims.

## 2. Use of the Information

The primary purpose of this collection is to gather all the required data and details from individuals at the time, or soon thereafter, of an incident occurring at or on an AAFES facility/property. This may include accidents, injuries, illnesses, mishaps, fires, shoplifting, or issues involving damages to government property involving AAFES employees, patrons (customers), guests, visitors or contractors.

Individual statements are collected manually on Exchange Form 3900-017, *Statements*, and then transferred to the AAFES accident/incident electronic database called the Asset Protection Information System (APIS). APIS is only accessible to designated AAFES personnel and not viewable by the individual.

When individuals voluntarily provide information, a loss prevention officer informs them of their privacy rights and provides them a privacy act statement to read. The individual is informed that refusal to provide information, concealment, or misrepresentation of material facts reported on Exchange Form 3900-017 may constitute grounds for employment separation for cause, disciplinary action, or civil or criminal litigation.

The statement section of the form may be verbatim per the individual's account or the individual may choose to write the statement themselves. Exchange Form 3900-017 collects the individual's name and other personal information along with their signature and abbreviations on each page. Once the Statement is finalized, it is printed out and a copy is provided to the individual for the purpose of reviewing, correcting, and authorizing the correctness of information. After the review process is completed, the individual initials each page of the statement and signs the last page as the interviewee, at which time the individual may request a copy of their own statement. After Form 3900-017 is transferred to the APIS system, the paper form is then shredded.

## 3. Use of Information Technology

The information collected on Exchange Form 3900-017 is done so manually. Respondents cannot access or complete the form on-line and therefore the percentage of collecting information electronically is zero. The data collected on the form is prepared in the presence of an AAFES Loss Prevention Officer or other AAFES designated manager who verifies the data for accuracy and completeness. At this time, there are no plans to make this collection of information electronic. Exchange Form

3900-017 requires an original handwritten signature by both the respondent and the designated individual.

4. Non-Duplication

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

5. Burden on Small Business

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

6. Less Frequent Collection

Information is collected from members of the public as an incident or accident occurs. This is collected is “on occasion”. Less frequent collection is not possible.

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 Title 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice (FRN) for the collection published on Monday, June 10, 2019. The 60-Day FRN citation is 84 FRN 22820.

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

A 30-Day Federal Register Notice (FRN) for the collection published on Thursday, August 29, 2019. The 30-Day FRN citation is 84 FRN 45473.

Part B: CONSULTATION

Significant input and information was received from the AAFES Loss Prevention directorate in relation to the continued use and burden relative to this collection. It was determined that the information is only maintained in one database and used accordingly as outlined in section 2 of this statement.

9. Gifts or Payment

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

#### 10. Confidentiality

The information is protected under the Privacy Act of 1974, as amended. Respondents are assured confidentiality verbally by the AAFES employee who collects the information and the Privacy Act Statement on Exchange Form 3900-017.

A draft copy of the SORN 0409.01 "AAFES Accident/Incident Reports" has been provided with this package for OMB's review.

The manual collection of accident and incident information does not require a Privacy Impact Assessment (PIA). The PIA for the AAFES APIS system, which maintains copies of Form 3900-017 and accident/incident reports, may be viewed at <https://www.aafes.com/Images/AboutExchange/FOIA-accident-incident.pdf>.

Electronic records are maintained in the AAFES APIS system. Disposition is pending until the National Archives and Records Administration has approved the retention and disposition schedule, treat as permanent. A copy of the SF-115 for OMB's review.

#### 11. Sensitive Questions

Respondents may be asked to provide age, height, weight, social security number, race, ethnicity, and possible physical behavioral attitudes or lifestyles, and medical history. These items may be used by law enforcement entities in their treatment or investigation into alleged incident or medical providers. The collection is authorized by DoD 5400.11-R, C4.

If Social Security Number is requested and provided it is authorized under DoDI 1000.30 Enclosure 2 sections 2.c. (2), (4), (5), (6) and (8). Justification for use of the SSN is provided.

#### 12. Respondent Burden and its Labor Cost

Part A: ESTIMATION OF RESPONDENT BURDEN

##### **1) Collection Instrument**

###### **Exchange Form 3900-017 Statement**

- a) Number of Respondents: 209
- b) Number of Responses Per Respondent: 1
- c) Number of Total Annual Responses: 209
- d) Response Time: 60 Minutes (1 Hour)
- e) Respondent Burden Hours: 209

## 2) Total Submission Burden

- a) Total Number of Respondents: 209
- b) Total Number of Annual Responses: 209
- c) Total Respondent Burden Hours: 209

The total respondent burden hours reported on the 60 Day Federal Register Notice was inadvertently calculated based upon the number of records maintained in the AAFES APIS system resulting in a significantly higher amount of hours for the collection of information. After a second review of the individual collection instrument and coordination with AAFES Loss Prevention, the total respondent burden hours is 209 vice 13,914.

### Part B: LABOR COST OF RESPONDENT BURDEN

#### 1) Collection Instrument

##### **Exchange Form 3900-017 Statement**

- a) Number of Total Annual Responses: 209
- b) Response Time: 60 Minutes (1 Hour)
- c) Respondent Hourly Wage: \$7.25/Hour
- d) Labor Burden per Response: \$7.25
- e) Total Labor Burden: \$1,515

#### 2) Overall Labor Burden

- a) Total Number of Annual Responses: 209
- b) Total Labor Burden: \$1,515

The Respondent hourly wage is based on the current federal minimum wage (2009) posted at the Department of Labor Wage Website.  
(<https://www.dol.gov/general/topic/wages/minimumwage>).

#### 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

### Part A: LABOR COST TO THE FEDERAL GOVERNMENT

#### 1) Collection Instrument(s)

##### **Exchange Form 3900-017 Statement**

- a) Number of Total Annual Responses: 209

- b) Processing Time per Response: 1 Hour (60 Minutes)
- c) Hourly Wage of Worker(s) Processing Responses: \$24.00
- d) Cost to Process Each Response: \$24.00
- e) Total Cost to Process Responses: \$5,016

**2) Overall Labor Burden to the Federal Government**

- a) Total Number of Annual Responses: 209
- b) Total Labor Burden: \$5,016

The hourly wage of workers was determined by taking the average salaries of associates who process the collected information. Processers are paid at the NF Pay Band 3/4 level shown on the attached April 15, 2019 Defense Civilian Personnel Advisory Service (DCPAS).

<https://www.dcpas.osd.mil/Content/NAF%20Schedules/survey-sch/152/152-033-50-NF.html>

**Part B: OPERATIONAL AND MAINTENANCE COSTS**

**1) Cost Categories**

- a) Equipment: \$5,000
- b) Printing: \$1,698
- c) Postage: \$0.00
- d) Software Purchases: \$0.00
- e) Licensing Costs: \$2,600
- f) Other: \$81,000 (\$55,000 for Periodic Testing of the APIS system + \$26,000 for maintenance contract)

**2) Total Operational and Maintenance Cost: \$90,298**

**Part C: TOTAL COST TO THE FEDERAL GOVERNMENT**

- 1) Total Labor Cost to the Federal Government: \$5,016
- 2) Total Operational and Maintenance Costs: \$90,298
- 3) Total Cost to the Federal Government: \$95,314

**15. Reasons for Change in Burden**

The burden has significantly decreased since the previous approval because all accidents/incidences in the AAFES incident database were inadvertently included in the overall total. However, in coordination with the AAFES Loss Prevention office, a re-analysis of AAFES Loss Prevention records reflects that only 209 reports from the public have been actually collected. Additionally, a higher number of patron's desire to

shop on-line has resulted in declining AAFES customer traffic in brick-and-mortar stores, which has also led to a decrease in accidents and shoplifting incidences. Thus, the total respondent burden has decreased to 209 vice 4,854 and the total cost to respondents has decreased to \$1,515 vice \$35,192 as previously approved.

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.