

SUPPORTING STATEMENT - PART A

DOD CONSOLIDATED ADJUDICATIONS FACILITY

REQUEST FOR RECORDS (DoD CAF Form 3)-0704-0561

Summary of Changes from Previously Approved Collection:

- *No Changes*

1. Need for the Information Collection

The purpose of the information collection is to enable the DoD Consolidated Adjudications Facility (DoD CAF) Privacy Act Office to locate relevant/accurate records when the requester is seeking records about themselves, and provide the requester responsive records pursuant to the Privacy Act of 1974. Authority to collect this information is contained in 5 U.S.C. § 552a, the Privacy Act of 1974, as amended; 10 U.S.C. 113, Secretary of Defense; 32 C.F.R. part 310, DoD Privacy Program, 32 C.F.R. part 311, Office of the Secretary of Defense and Joint Staff Privacy Program, and DoD 5400.11-R, Department of Defense Privacy Program, and Executive Order 9397, as amended. Additionally, in compliance with the DoD 5200.2-R, Personnel Security Program, which stipulates persons undergoing due process to deny/revoke their eligibility for access to classified and/or national security information, are entitled to review the records upon which DoD CAF based its tentative decision.

The DoD CAF is responsible for making clearance eligibility and suitability determinations based upon the review of federal, state, and commercial records in accordance with Federal Adjudicative Guidelines. Once a preliminary or final determination is made, individuals are notified, and may invoke their right to access the records which the DoD CAF relied upon to make the security clearance eligibility decision under the provisions of the Privacy Act.

Information collected includes personal identifiable information (PII) such as, full name, social security number (SSN), address, date and place of birth, and other personal information. The information is used to facilitate identity verification of individuals associated with protecting national security and ensure highly sensitive information pertaining to an individual's access to national security information is not inappropriately disclosed to a third party. The use of PII is necessary because of the large number of Federal employees, contractors, civilians, and military personnel who have identical names and/or birth dates and whose identities can only be distinguished by this information.

2. Use of the Information

Currently, the DoD CAF Privacy Act Office accepts requests for records submitted via e-mail or postal mail, in a letter format with the method of communication is chosen by the

requester. Due to the highly sensitive personal information that is contained in our records, we require full name, full social security number, date and place of birth, declaration of identity and handwritten signature in order to positively verify the identity of the requester per DoD 5400.11-R, May 14, 2007, section C3.1.3. The DoD CAF Privacy Act Office understands while individuals are aware they are entitled to receive a copy of the records pertaining to themselves, they are not always aware of procedures required to make such a request. Therefore, our office accepts requests that are oftentimes missing the necessary personal identifiable data necessary for the DoD CAF Privacy Act Office to positively verify the identity of the requester and conduct an adequate search for responsive records. It then becomes necessary for the Privacy Act Office to communicate with the requester to obtain additional information prior to processing the request. The requester is notified, via e-mail from the DoD CAF Privacy Act official e-mail address or via U.S. postal mail (letter format), that additional information is necessary prior to processing their request. Although the information is voluntary, we inform the requester that without the additional information we may be unable to locate relevant records.

The typical first party requester seeks records relating to their access to national security information, and includes contractors, retired or separated active duty members transitioning to civil service or contract employment or those no longer affiliated with the Department of Defense. The appropriate disclosures are included in the proposed form; however, we do inform the requester of Privacy Act and that supplying the information is voluntary. The requester returns the DoD CAF Form 3 via U.S. Postal Service or via email.

Once the DoD CAF receives the completed form, the request is added to the workflow queue to be processed on a first-in, first-out basis. The DoD CAF Form 3 will be used to ensure that the relevant responsive records are retrieved from available data systems. For those records maintained at DoD CAF, but are not under the CAF's release authority, the PAO will ensure those records are referred to the appropriate Federal agencies, who have the jurisdictional control and release authority. The individual's request for records is attached to any referred records, so that the agency is privy to the initial request, and a copy of our response. The completed Privacy Act request case file is retained for 6 years in accordance with NARA's General Records Schedule 4.2, Item 020. Electronic and hard copy records are secured in locked file cabinets in our secure facility located at Ft. Meade, MD.

The information collection tool will decrease the burden on the requester to provide additional required information in order to gain access to their records and to simplify the process for identifying responsive records.

3. Use of Information Technology

The collection does involve a degree of automation, since the form will be available in a portable document file (PDF) format. The form may be provided as a scanned email attachment or via postal mail to the DoD CAF Privacy Act Office. We estimate that 75 percent of the 120 respondents who use the form will submit it electronically; however, since the form contains PII, we recommend respondents use the most secure method available.

The use of an electronic signature is acceptable through the use of U.S. Government credentialing capability such as the Common Access Card (CAC) or Personal Identity Verification (PIV) card. There is no current ability to cost effectively track and validate other forms of digital signatures.

In addition to providing the DoD CAF Privacy Act Request Form to the requester, we may also post the form on the DoD CAF website in order to make it more widely available. We are limited in our ability to increase the percentage of responses submitted electronically, due to the necessity that the Privacy Act request be notarized or contain a declaration of identity along with a handwritten signature. The provisions of the Privacy Act allow an individual access to information pertaining to them that is maintained in a system of records. The records maintained at the DoD CAF, which a requester is seeking access to, contain sensitive personal, financial, and medical information; thus, our office requires a level of assurance that the person is who they say they are before the DoD CAF is able to grant such access.

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 Businesses

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

6. Less Frequent Collection

If the collection activity was conducted less frequently, the requester would need to provide the necessary information in another format, such as a letter, to request records. The use of the DoD CAF Form 3 is intended to organize the collection of required data elements in accordance with the Privacy Act of 1974. Additionally, the information collection tool will simplify the processing of requests, minimize the need to request additional information from the requester, and ensure other Federal agencies that the request being referred has all the necessary information to process the request.

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 (FRN) for the collection published on Thursday, October 24, 2019. The 60-Day FRN citation is 84 FRN 57017.

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

A 30-Day Federal Register Notice for the collection published on Thursday, December 19, 2019. The 30-Day FRN citation is 84 FRN 69730.

Part B: CONSULTATION

No additional consultation apart from soliciting public comments through the Federal Register 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

A Privacy Act Statement is included on page 2 of the information collection tool and contains a link to our System of Record Notice at:

<http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570753/dwhs-e04/>.

Any disclosure of this information collection tool or the information contained therein is in accordance with the Privacy Act of 1974, as amended, and the routine uses found in System of Record Notice (SORN) Office of the Secretary, DoD/Joint Staff, DWHS E04, Privacy Act Case Files. A draft copy of the Privacy Impact Assessment (PIA), DoD CAF Privacy Act Workflow System (PAWS), has been submitted with this package for OMB's review.

The information collection tool is maintained in the Privacy Act Case File and may be retained for up to six years in accordance with NARA and Washington Headquarters Services (WHS) Records Disposition Schedules. The discrepancy between the SORN and how long the information collection tool is maintained is due updated retention information issued by NARA after the publication of the SORN. The NARA General Records Schedule governing Privacy Act case files was published in August 2015 subsequent to the SORN publication date of May 2015. Since the SORN was published prior to the retention period change, the SORN does not contain the updated information. Additionally, we are unable to update the SORN to reflect the current retention information as we are a component of the Washington Headquarters Service, and any revisions to the SORN are accomplished by the OSD/JS Privacy Act Office.

11. Sensitive Questions

The information collection tool does not ask questions of a sensitive nature pertaining to sexual behavior and attitudes, religious beliefs, race and/or ethnicity, and other matters that are commonly considered private.

Social Security Number (SSN): The collection of a requester's social security number is necessary to conduct an adequate search of adjudicative records maintained in the DoD CAF system of record. The SSN is the primary personal identifier used in major DoD

national security systems, and it remains the only unique identifier that ensures the accuracy across all the systems for proper data retrieval. DoD Instruction 1000.30, Reduction of Social Security Number (SSN) Use Within DoD, Enclosure 2, stipulates that the use of the SSN as the single identifier which links adjudicative files pertaining to a person's security clearance is an acceptable use of the SSN. The solicitation of the SSN is voluntary; however, without it the DoD CAF Privacy Act Office may not be able to retrieve responsive records. See Social Security Number Justification Memo submitted with this package.

12. Respondent Burden and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

- 1) Collection Instrument(s)
[DoD CAF Form 3]
 - a) Number of Respondents: 120
 - b) Number of Responses Per Respondent: 1
 - c) Number of Total Annual Responses: 1
 - d) Response Time: 5 mins
 - e) Respondent Burden Hours: 10 hours

- 2) Total Submission Burden
 - a) Total Number of Respondents: 120
 - b) Total Number of Annual Responses: 120
 - c) Total Respondent Burden Hours: 10 hours

Part B: LABOR COST OF RESPONDENT BURDEN

- 1) Collection Instrument(s)
[DoD CAF Form 3]
 - a) Number of Total Annual Responses: 120
 - b) Response Time 5 mins
 - c) Respondent Hourly Wage: \$23.23
 - d) Labor Burden per Response: \$1.93
 - e) Total Labor Burden: \$231.60

- 2) Overall Labor Burden
 - a) Total Number of Annual Responses: 120
 - b) Total Labor Burden: \$231.60

The Respondent hourly wage was determined by using the [Department of Labor Wage Website] (<http://www.dol.gov/dol/topic/wages/index.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

Part A: LABOR COST TO THE FEDERAL GOVERNMENT

1) Collection Instrument(s)

[DoD CAF Form 3]

- a) Number of Total Annual Responses: 120
- b) Processing Time per Response: 2 hours
- c) Hourly Wage of Worker(s) Processing Responses: \$47.25
- d) Cost to Process Each Response: \$47.25
- e) Total Cost to Process Responses: \$94.50

2) Overall Labor Burden to the Federal Government

- a) Total Number of Annual Responses: 120
- b) Total Labor Burden (P: add all "e's" in this section): \$11,340

Part B: OPERATIONAL AND MAINTENANCE COSTS

(P): To determine Operational and Maintenance Costs, think of the incidental or miscellaneous costs to owning this collection. How much does equipment, printing, or postage for this collection cost? Are there any overhead costs for purchasing or licensing software? If a database or system is involved, how much money does it take to maintain the system? If you do have incur any Operational and Maintenance costs through this collection, please put "\$0" next to each category.

1) Cost Categories

- a) Equipment: \$0
- b) Printing: \$1.20
- c) Postage: \$28.20
- d) Software Purchases: \$0
- e) Licensing Costs: \$0
- f) Other: \$0

2) Total Operational and Maintenance Cost: \$29.40

Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

1) Total Labor Cost to the Federal Government: \$11,340

2) Total Operational and Maintenance Costs: \$29.40

3) Total Cost to the Federal Government: \$11,369.40

15. Reasons for Change in Burden

There has been no change in burden since the last approval.

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.