SUPPORTING STATEMENT
Statistical research in archival records containing personal information
(OMB Control No. 3095-0002)

1. **Circumstances making the collection of information necessary.** Some records transferred to the National Archives of the United States are subject to restrictions on access or use prescribed by statute or executive order or imposed by the Archivist of the United States under the authority of 44 U.S.C. 2108. The Archivist has imposed restrictions on the use of records containing information about a living person which reveal details of a highly personal nature when: (1) the personal information contained in the records is not known to have been previously made public and (2) the records relate to events less than 75 years old. There is an exception to this restriction for biomedical or social science research under the provisions of 36 CFR 1256.28. As outlined in 36 CFR 1256.28(b), we request the following information from respondents:

   (1) Name and mailing address;

   (2) Institutional affiliation and position, if applicable;

   (3) List of published research, if applicable;

   (4) References from two persons who have first-hand knowledge of the requester's qualifications to perform the research;

   (5) A statement of the nature of the research to be conducted and any plans for publication or presentation of the research findings;

   (6) A listing of all sources of grant funds supporting the research project or its publication;

   (7) A statement of the methodology to be used;

   (8) A statement of the administrative, technical, and physical safeguards to be employed by the researcher to prevent unauthorized use or disclosure of the records;

   (9) A listing of the record groups and series titles to be used; and

   (10) A statement that the researcher will abide by the conditions of access to be prescribed by NARA and that the researcher will assume responsibility for the action of all persons working with the researcher on the project.

   We need the information gathered in this information collection to evaluate requests for access to records whose use has been restricted because they contain highly personal information.

   Title 44, U.S.C. section 2108 authorizes the Archivist to impose restrictions; 36 CFR 1256.56 imposes the restriction on access to records containing highly personal information; and 36 CFR 1256.28 contains the information collection requirement.

2. **Purpose and use of the information.** In deciding whether to grant access to privacy-

restricted records, we need information from the requester to determine whether the requester is a bona-fide medical researcher; whether the proposed research methodology will permit the researcher to obtain the projected research results without revealing personally identifying information; and whether the safeguards proposed by the requester will adequately protect the personal information. The information will be reviewed by our Access Review Committee.

If we do not collect this information, we would have to deny access to the records. Agencies, such as the National Institutes of Health, who have in their custody records that would be appropriate for biomedical statistical research, would be reluctant to transfer the records to NARA without access procedures in place.

3. **Use of information technology and burden reduction.** We have attempted to impose a minimum burden on the respondent. There is no improved information technology that would reduce the respondent burden. Since there is only one respondent, at this time, it is not cost effective for NARA to make this information collection GPEA compliant.

4. **Efforts to identify duplication and use of similar information.** There is no other source for this information. There is no similar information already available.

5. **Impact on small businesses or other small entities.** The information requirements do not have a significant impact on small businesses or other small entities.

6. **Consequences of collecting the information less frequently.** We collect the information is only when the researcher requests access to restricted records to conduct a biomedical statistical research project. We cannot collect it less frequently because we must review the proposed methodology and safeguards for each access request.

7. **Special circumstances relating to the guidelines of 5 CFR 1320.5.** We will conduct the collection in a manner consistent with the guidelines in 5 CFR 1320.5.

8. **Comments in response to the Federal Register notice and efforts to consult outside agency.** When this information collection was first implemented in 1987, we included it for comment in the proposed rule that prescribed the collection. We have received no requests since the rule was promulgated; therefore, we haven't engaged in additional consultation since then. We published a notice in the *Federal Register* on December 5, 2019 (84 FR 66698). We received no comment(s).

9. **Explanation of any payment or gift to respondents.** We do not provide payment or a gift to respondents for providing this information.

10. **Assurance of confidentiality provided to respondents.** We maintain information about researchers in Privacy Act systems NARA 1 and NARA 2. As a matter of NARA policy, we normally do not release to other researchers information about the subject of a researcher's work . (We withhold information about a researcher under FOIA exemption b(6) and

information about their research under FOIA exemption b(4).) However, if a respondent who is granted access to restricted records violates the conditions of that access, 36 CFR 1256.28 provides that NARA may inform the following people and organizations of the researcher's failure to follow the conditions of use: the institution with which the researcher is affiliated, people who served as references, organizations that provided grant funds for the project, the sponsor of the publication or public presentation, and professional organizations.

11. **Justification for sensitive questions.** We do not ask questions of a sensitive nature.

12. **Estimates of hour burden including annualized hourly costs.** The estimated annual burden is seven hours, based on one request per year.

13. **Estimate of other total annual cost burden to respondents or recordkeepers.** The estimated annual cost to each respondent is $150, for a total annual respondent burden of $150. It is assumed that a respondent would make only one request per year. The cost includes three hours of effort by the principal researcher (at $30.00 per hour) and four hours of effort by a research assistant (at $15.00 per hour).

14. **Annualized cost to the Federal Government.** The estimated annual cost to the Federal government is $420. The cost is based on an estimate of the time spent by the Access Review Committee evaluating the request and time spent by an archivist reviewing the requested records to provide an assessment of the privacy concerns in the records. There are no printing or equipment costs.

15. **Explanation for program changes or adjustments.** There are no changes in the currently approved burden.

16. **Plans for tabulation and publication and project time schedule.** We do not publish the results of this information collection for statistical purposes.

17. **Reason(s) display of OMB expiration date is inappropriate.** We include the OMB approval number in the regulation, 36 CFR 1256.28.

18. **Exceptions to certification for Paperwork Reduction Act submissions.** There are no exceptions to the certification statement.