

SUPPORTING STATEMENT – PART A

Law Enforcement Officers Safety Act (LEOSA) Credential Program – 0703-0067

Summary of Changes:

- The estimated number of respondents and responses has decreased.
- The estimated labor burden to the Federal Government has decreased.

A. JUSTIFICATION

1. Need for the Information Collection

Department of the Navy and the U.S. Marine Corps are requesting Office of Management and Budget (OMB) approval of the information collection to verify and validate eligibility of separated and retired DON law enforcement officers to ship, transport, possess or receive Government-issued or private firearms or ammunition. This will also verify and validate eligibility of separated, and retired DON law enforcement officers to receive DON endorsed law enforcement credentials, to include Law Enforcement Officers Safety Act (LEOSA) credentials.

Authorities to collect the information:

10 U.S.C. 5013, Secretary of the Navy establishes the formulation of policies and programs by the Department of the Navy that are fully consistent with national security objectives and policies established by the President or the Secretary of Defense

18 U.S.C. 522a, Law Enforcement Officers Safety Act is a United States federal law, enacted in 2004, that allows two classes of persons - the "qualified law enforcement officer" and the "qualified retired or separated law enforcement officer" - to carry a concealed firearm in any jurisdiction in the United States or United States Territories, regardless of state or local laws, with certain exceptions.

10 U.S.C. 5041, Headquarters, Marine Corps states the function of the Headquarters, Marine Corps, is to assist the Secretary of the Navy in carrying out his responsibilities.

18 U.S.C. 922, Unlawful Acts states it is unlawful for any person except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or in the course of such business to ship, transport, or receive any firearm in interstate or foreign commerce;

18 U.S.C. 926B and 926C, Carrying of Concealed Firearms by qualified retired law enforcement officers authorizes an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce.

As used in this section, the term “qualified retired law enforcement officer” means an individual who **(1)** separated from service in good standing from service with a public agency as a law enforcement officer; **(2)** before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest or apprehension under the applicable article of the Uniform Code of Military Justice; **(3) (A)** before such separation, served as a law enforcement officer for an aggregate of 10 years or more; or **(B)** separated from service with such an agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency.

E.O. 9397 (SSN), as amended authorizes any Federal department, establishment, or agency may, whenever the head thereof finds it advisable to establish a new system of permanent account numbers pertaining to individual persons, utilize the Social Security Act account numbers assigned pursuant to title 20, section 422.103 of the Code of Federal Regulations and pursuant to paragraph 2 of this order.

2. Use of the Information

The information collected will be used to verify and validate eligibility of separated and retired DoN law enforcement officers to ship, transport, possess or receive Government-issued or private firearms or ammunition.

Additionally, the information will be used to verify and validate eligibility of separated, and retired DoN Law enforcement officers to receive DoN endorsed law enforcement credentials, to include LEOSA credentials through the following application process.

Navy application process:

The Public Affairs Office will publish a communication plan to announce the renewal of the OMB Control Number and continued issuance of the DoN LEOSA credentials. The plan will include use of email, an announcement placed in the Plan of the Week (POW) as well as entries posted on the Commander Navy Installations Command (CNIC) public website. The applicant goes to the servicing contractor website; <https://www.leosanavy.com> to start the application process (not owned by the DoN). The applicant creates a username and password to ensure information is secure during the application process. Once signed in, the applicant will answer questions to determine the category of credential (926B or 926C). The applicant then uploads all appropriate supporting documentation into the secure website so the servicing contractor and the DoN LEOSA Program Manager can validate the applicant meets all qualification requirements. The 926C applicant must also request an FBI Criminal History Summary as part of the application supporting documentation at

their own expense. Once the application is complete and all supporting documentation is uploaded into the secure website, the applicant pays the applicable processing fee of \$165 for the credentials. The applicant is required to render payment through the website. All associated costs are listed on the website and must be paid to the servicing contractor when submitting the application. The applicant receives an automated email confirmation upon submission of the application. The servicing contractor conducts an initial review of the application package to verify documentation and qualifications. The servicing contractor creates a list of applicant each month, places all applications that met the initial review into it, and electronically notifies the DoN LEOSA Program Manager that the list is ready for review. The DoN LEOSA Program Manager electronically reviews each application (to include all supporting documentation) and either approves or denies the application through the website. Once all applications on the current list have been reviewed, the servicing contractor will be provided a list of those approved from the current list, creates the credential specifically for the qualified applicant and mails it directly to the address provided by the applicant during the application process. Additionally, the applicant receives an automated email through each stage of the process. Headquarters, CNIC N34 maintains a record of all applications and qualification documentation, approved or disapproved, in accordance with applicable published federal records management guidance.

Marine Corps application process:

The Public Affairs Office will publish a communication plan to announce the implementation and issuance of the LEOSA credentials. The plan will include use of email, an announcement placed in the Plan of the Week (POW) as well as entries posted on the www.marines.mil public website. The applicant will go to the website; www.usmcleosa.com and clicks on the “926C” button on the home page. The website will go through detailed instructions on the application process and will take them to the Contact Form to request access to the encrypted email account. The applicant fills out the contact form to include their email address, and clicks on “Send email.” The Headquarters Marine Corps (HQMC) LEOSA Program Manager (PM) receives an email notification of the applicant’s request and adds their email to the encrypted email correspondence specifically for 926C applicants. The HQMC LEOSA PM will send instructions on required documentation and the LEOSA application via email from the encrypted inbox to the applicant. The applicant will complete the application and submit it through the encrypted email connection. The applicant will request an FBI History Summary and request the document be sent directly to the HQMC LEOSA PM. The applicant will email a copy of their DD214/SF50, proof of weapon qualification, an acknowledgement of understanding, a copy of a state issued ID, a photograph following standard US passport requirements and a copy of their signature. The HQMC LEOSA PM will review all submitted documents and upload these to the Data Housing and Reports Tool (DHART). Once all documentation is received and reviewed, the HQMC LEOSA PM will complete the HQMC 926C Application Summary and submit the applicant’s package to the Authorizing Official/Branch Head. If approved, the Authorizing Official will sign the Summary form and notify the HQMC LEOSA PM. The HQMC LEOSA PM will assign the

individual the serialized 926C cardstock in DHART and create the ID and deliver to HQMC for authorization. Once authorized, the HQMC LEOSA PM will ship the 926C ID to the applicant requiring a signature for deliver. All 926C application packages will be maintained by the HQMC LEOSA PM in DHART.

3. Use of Information Technology

The DoN application process involves the use of the AWS GovCloud to maintain all applications submitted. The application process is an online based process that ensures the security of personal information through the use of an applicant created username and password. The Navy collects 100% of the responses electronically.

The Marine Corps has developed a secure inbox for receiving and responding to email inquiries from applicants through the Marine Corps LEOSA website therefore, all of their responses are all collected through the secure email and transferred over to DHART in order to track all LEOSA credentials that have been issued as required by DoDI 5525.12. No information or PII is processed or stored on the website. USMC will collect 100% of the responses electronically.

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

No respondents are small businesses or small entities.

6. Less Frequent Collection

The frequency of the information collected is based on the number of individuals who qualify and apply for the credentials. Therefore, it collected only if an individual wants to apply.

7. Paperwork Reduction Act Guidelines

There are no special circumstances that require the 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 09/14/2020. The 60-Day FRN citation is 85 FRN 56592.

A 30- Day Federal Register Notice for the collection published on Wednesday, December 2, 2020. The 30-Day FRN citation is 85 FRN 77454.

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 this collection.

10. Confidentiality

A Privacy Act Statement and agency disclosure noticed is displayed at the top of the application form and website.

A draft copy of the PIA, DHART, has been provided with this package for OMB's review.

A SORN is required. SORN, NM05580-2, Law Enforcement Officer Safety Act (LEOSA) Eligibility and Credential Records, has been published;
<http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570445/nm05580-2/>

RETENTION AND DISPOSAL:

Application packages for Retired/Separated Navy and Marine Corps law enforcement officer 926C LEOSA Credentials:

1. Completed Navy and Marine Corps LEOSA application form.
Destroy 2 years after issuance of law enforcement credentials.
2. Completed Privacy Act Statement.
Destroy 2 years after issuance of law enforcement credentials.
3. Copy of applicant's DD-214 (member copy 4) for Navy and Marine Corps or SF-50 proof of employment for civilian police officers.
Destroy 2 years after issuance of law enforcement credentials.
4. Passport type photograph as defined by the Department of State for all U.S. passports.
Destroy 2 years after issuance of law enforcement credentials.
5. Copy of state driver's license or state issued identification card.
Destroy 2 years after issuance of law enforcement credentials.
6. Copy of a current, within previous 12 months, Federal Bureau of Investigation (FBI) Identity History Summary.
Destroy 2 years after issuance of law enforcement credentials.
7. LEOSA 926C Certification of Eligibility

- a. PERMANENT. Transfer to the National Archives 2 years after issuance of law enforcement credentials.
- b. Destroy paper/electronic copies upon receipt of acceptance.

Collection forms, paper and/or plastic badges/passes are shredded or incinerated using the DoD approved procedures. If any IT system or data storage media fails and must be replaced, the data storage component (e.g., disks/hard drives) is removed from the hardware and degaussed with a DoD approved degaussing systems and are then mechanically shredded prior to disposal.

11. Sensitive Questions

Social Security Numbers (SSNs) are being collected. An SSN justification memo has been provided with this package for OMB's review.

12. Respondent Burden, and its Labor Costs

a. Estimation of Respondent Burden

1. DoN Law Enforcement Officers Safety Act (LEOSA) Credential Application

- a. Number of Respondents: 250
- b. Number of Responses Per Respondent: 1 per
- c. Number of Total Annual Responses: 250 = (200 Navy, 50 USMC)
- d. Response Time: 2 hours

e. Respondent Burden Hours: 500 Hours

2. Total Submission Burden

- a. Total Number of Respondents: 250
- b. Total Number of Annual Responses: 250 = (200 Navy, 50 USMC)
- c. Total Respondent Burden Hours: 500

b. Labor Cost of Respondent Burden

1. DoN Law Enforcement Officers Safety Act (LEOSA) Credential Application

- a. Number of Total Annual Responses: 250 = (200 Navy, 50 USMC)
- b. Response Time: 2 hours
- c. Respondent Hourly Wage: \$27.20
- d. Labor Burden per Response: \$54.40
- e. Total Labor Burden: \$13,600.00

2. Overall Labor Burden

- a. Total Number of Annual Responses: 250
- b. Total Labor Burden: \$13,600.00

The Respondent hourly wage was determined by using the Department of Labor Wage Website by using the 2020 average volunteer hourly rate of \$27.20 per hour, according to Independent Sector www.independentsector.org.

13. Respondent Costs Other Than Burden Hour Costs

Additional costs are as follows:

- \$165 Application Fee for Navy applicants (200): : \$33,000
- \$50 FBI Criminal History Check (250,all applicants): \$12,500
- The total cost for respondents are \$45,500

14. Cost to the Federal Government

a. Labor Cost to the Federal Government

Marine Corps:

- a. Number of Total Annual Responses: 50
- b. Processing Time per Response: 1 hour
- c. Hourly Wage of Worker(s) Processing Responses: \$25.00
- d. Cost to Process Responses: \$25
- e. Total cost to Process Responses: \$1,250.00

Navy:

- a. Number of Total Annual Responses: 200
- b. Processing Time per Response: 1 Hour
- c. Hourly Wage of Worker(s) Processing Responses: \$25
- d. Cost to Process Responses \$ 25.00
- e. Total cost to Process Responses \$5,000

2. Overall Labor Burden to Federal Government

- a. Total Number of Annual Responses: 250
- b. Total Labor Burden \$6,250.00

Note: The hourly wage of Federal Civilian worker(s) for Navy and Marine Corp is derived by using the 2020 GS Pay Scale according to the Office of Personnel Management at the following link: https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/20Tables/html/GS_h.aspx

b. Operational and Maintenance Costs

- a. Equipment: \$5,720.00 (laptop- \$1,100; printer- \$150; hard drive- \$80; camera- \$100; includes all 3 equipment locations and 1 stand-by)
- b. Printing: \$10,000.00 (includes cardstock and ink)

- c. Postage: \$500.00 (\$5 certified mail; per 100)
- d. Software Purchases: \$00.00 (includes all 3 equipment locations, already own)
- e. Licensing Costs: \$5,200 (includes all 3 equipment locations annually)
- f. Other: \$600.00 (encrypted email and website host costs)
- g. Total: \$22,020

- 1. Total Operational and Maintenance Costs: \$22,020.00
- 2. Total Labor Cost to the Federal Government: \$6,250.00
- 3. Total Cost to the Federal Government: \$28,270.00

15. Reasons for Change in Burden

The burden has decreased since the previous approval due to less applicants applying. This has impacted the overall burden hours and costs to go down.

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.