

SUPPORTING STATEMENT - PART A

Police Record Check - 0704-0007

1. Need for the Information Collection

Title 10, U.S. Code, Sections 504, 505 and 12102 establish minimal standards for enlistment into the Armed Forces. Among other items, these sections specifically prohibit the enlistment of those convicted of a felony. The Services have therefore developed standards which address the acceptability for Service persons with police records, adverse juvenile adjudications or court convictions. The standards are designed to screen out categories of persons who have probability of either becoming serious disciplinary problems or may not be able to adjust to the disciplinary demands of the Armed Forces. This information collection is needed to identify persons who may be undesirable for military service. The existence of a police record is one of the factors considered in establishing eligibility for enlistment or entry into highly sensitive career fields. Therefore, verification data from the individual and law enforcement agencies must be obtained before enlistment can occur.

2. Use of the Information

The primary purpose of this information is to identify individuals who may be undesirable for military service. The respondent is the state, local police or law enforcement agency for which the inquiry is directed. The form associated with this information collection is DD Form 369, "Police Record Check." It is used by recruiters to inquire on applicants' backgrounds prior to acceptance to the Armed Forces, when, in the judgment of the recruiter, an applicant may be withholding information of prior offense history. The recruiter utilizes this information provided by law from the law enforcement agency to determine an applicant's general enlistment eligibility and to identify individuals who may be undesirable for military service. This information is extracted at the law enforcement agency by either computer or a card file. This information is maintained as confidential and is utilized currently as a screening tool for recruiters. It is stored in their personnel file and is destroyed within 3-6 months after enlistment or rejection from service. The data which has been collected over the past three years has allowed recruiters to process qualified applicants who meet the acceptable entry standards for the Armed Forces and assisting in the reduction of the attrition rate for basic trainees.

3. Use of Information Technology

The DD Form 369 is available to the public electronically on-line from the Department of Defense forms website, <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0369.pdf>. The Department has determined that the DD Form 369 is appropriate for electronic generation. The form is available on the DoD Electronic Forms Web site in Fillable Adobe PDF file and used by the Military Entrance Processing Command (MEPCOM) Integrated Resource System (MIRS) at the Military Entrance Processing Stations (MEPS). The initial completion of the applicant's information occurs electronically at the recruiting station. However, full implementation of electronic transmission and digital signatures, as required under the Government Paperwork Elimination Act (GPEA), is not yet possible due to the unavailability of electronic connections (standardized hardware and/or software) between Federal and state/local government agencies at this time. Strategic planning has occurred and research and development

has begun on ongoing initiatives, including biometrics. Progress is contingent upon funding of these ongoing initiatives.

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 collection of information ceased, the ability to meet determination for Enlistments, as required by law for prior offense history, could not be met.

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 for the collection published on Wednesday, December 22, 2021. The 60-Day FRN citation is 86 FR 72581 FRN 72581-72582.

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

A 30-Day Federal Register Notice for the collection published on Monday, March 28, 2022. The 30-Day FRN citation is 87 FR 17275 FRN 17275.

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 located on the DD 369, which is attached to the package.

Applicable SORNs:

Army: <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/6150/a0601-210a-usarec.aspx>

Air Force: <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/5811/f036-aetc-f.aspx>

Marine Corps: <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/6777/m01133-3.aspx>

Navy: <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/6413/n01133-2.aspx>

Coast Guard:

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-10/html/2011-20225.htm>

A copy of the PIA, MEPCOM Integrated Review System, has been provided with this package for OMB's review.

Records will be retained in accordance with their respective disposition schedule and will be destroyed or permanently accessioned to the National Archives when no longer needed for reference and/or for conducting business. Records are destroyed by erasing, purging, shredding or burning.

11. Sensitive Questions

Data collected on gender, race and ethnicity are used throughout the application process as a means of validating the applicant's identity and to facilitate the reporting and tracking of individuals in this country. The Service Recruiters use policies and regulatory guidance from DoD when determining racial/ethnic category information when they are filling out the form with the applicant (prospective future Service member). OSD (General Counsel) has reviewed the DD Form 369. The revised standards, per OMB Bulletin No.00-02, Guidance on Aggregation and Allocation of Data on Race for use in Civil Rights Monitoring and Enforcement, http://www.whitehouse.gov/omb/bulletins_b00-02, provides the recruiters with the necessary information to assist the applicants with properly completing the race and ethnicity sections on the DD Form 369.

SSN: An applicant's SSN is used to conduct the police record check and keep all records together during the enlistment process. The uniqueness of the SSN allows proper validation of data across several state, local, and federal systems and ensures that the correct information is provided for the purposes of moral qualification. Failure to provide information or providing incorrect information could have a detrimental effect on the Armed Services moral qualification process. Since law enforcement agencies may have several persons with the same name and similar characteristics, including gender/race and ethnicity information, the request for the entire SSN, with race and ethnicity information, will facilitate law enforcement agencies with the ability to validate the applicant's identity before releasing any prior offense history to the Military Services. Federal and State Law enforcement agencies run the respective checks by using the entire SSN. Masking or truncating the SSN in order to obtain the prospective future Service members will cause information discrepancy and possibly the erroneous release of personal information. Agencies will not run the record check without the entire SSN as agencies lack the technology to conduct the check without the entire number. However, once the applicant information is obtained from the Local/State/Federal agencies, the Services will internally mask the SSN in order to meet the DoD SSN reduction plan.

Personal Identifying Information (PII): Respondents are advised that their data are for OFFICIAL USE ONLY and will be maintained and used in strict confidence in accordance with Federal law and regulations. Procedures are in place to protect the confidentiality of the information. The paper forms will be secured to protect PII in accordance with DoD regulations. The erroneous release of PII might cause legal action by individuals against DoD and/or the government.

12. Respondent Burden and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

1) Collection Instrument(s)

[DD369]

- a) Number of Respondents: 175,000
- b) Number of Responses Per Respondent: 1
- c) Number of Total Annual Responses: 175,000
- d) Response Time: 27 minutes
- e) Respondent Burden Hours: 78,750 hours

2) Total Submission Burden

- a) Total Number of Respondents: 175,000
- b) Total Number of Annual Responses: 175,000
- c) Total Respondent Burden Hours: 78,750 hours

Part B: LABOR COST OF RESPONDENT BURDEN

1) Collection Instrument(s)

[DD369]

- a) Number of Total Annual Responses: 175,000
- b) Response Time: 27 minutes
- c) Respondent Hourly Wage: \$17.49
- d) Labor Burden per Response: \$7.87
- e) Total Labor Burden: \$1,377,250

2) Overall Labor Burden

- a) Total Number of Annual Responses: 175,000
- b) Total Labor Burden: \$1,377,250

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)
[DD369]
 - a) Number of Total Annual Responses: 175,000
 - b) Processing Time per Response: 27 minutes
 - c) Hourly Wage of Worker(s) Processing Responses: \$18.53
 - d) Cost to Process Each Response: \$8.34
 - e) Total Cost to Process Response: \$1,459,500
- 2) Overall Labor Burden to the Federal Government
 - a) Total Number of Annual Responses: 175,000
 - b) Total Labor Burden: \$1,459,500

Part B: OPERATIONAL AND MAINTENANCE COSTS

- 1) Cost Categories
 - a) Equipment: \$0
 - b) Printing: \$0
 - c) Postage: \$0
 - d) Software Purchases: \$0
 - e) Licensing Costs: \$0
 - f) Other: \$0
- 2) Total Operational and Maintenance Cost: \$0

Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

- 1) Total Labor Cost to the Federal Government: \$1,459,500
- 2) Total Operational and Maintenance Costs: \$0
- 3) Total Cost to the Federal Government: \$1,459,500

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.