

**SUPPORTING STATEMENT - PART A for**

**OMB Control Number 0584-New**

**EmpowHR/Person Model NON-EMPLOYEE DATA SHEET – FNS-775**

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**A1. Circumstances that make the collection of information necessary.**

**Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

This is an existing information collection request in use without an OMB control number. The collection of the data such as full legal name, address, phone, social security number, birthdate, place of birth, country of citizenship is required to input into the USDA system of record, Empower Human Resources (EmpowHR), so that upon submission, it conforms to the data requirements set forth by USAccess. Please see Appendix B FNS 775 EmpowHR/Person Model which shows the required biographic data to be collected for system input.

Legal authority for gathering of data fields mentioned above comes from the Homeland Security Presidential Directive 12 (Appendix A Legal Authority). The Directive references HSPD-12 as the chosen standard for data collection for employees and contractors. HSPD-12 was issued on August 12, 2004 and calls for a mandatory, government-wide standard for secure and reliable ID for all of its employees and contractors to access federally-controlled facilities and networks.

Based upon this directive, the National Institute for Standards and Technology (NIST) developed Federal Information Processing Standards Publication (FIPS Pub) 201. USDA's LincPass card is designed to link a person's identity to an ID credential and the credential to a person's ability to physically and logically access federally controlled buildings and information systems, respectively. Authorizing statute includes 731.106(c)(2).

Additional Legal authority includes the Privacy Act (5 U.S.C. 552a(e)(11)), the Department of Agriculture Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193, as noted in Appendix C USDA OP-1 Personnel and Payroll System for USDA Employees (SORN)).

## **A2. Purpose and Use of the Information.**

**Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate how the agency has actually used the information received from the current collection.**

The data collected on the FNS 775 EmpowHR/Person Model sheet (Appendix B) is used to input data for individuals who are contractors employed by an external company or business, interns, or volunteers. The data collected (full legal name, address, phone, social security number, birthdate, place of birth, country of citizenship) is then input to the System of Record, EmpowHR. The personal identifiable information (PII) data collected is for the specific purpose of sponsorship for the agency's PIV (Personal Identity Verification) credential and will be used during background investigation as required for access to agency facilities, systems, and information.

## **A3. Use of information technology and burden reduction.**

**Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

FNS makes every effort to comply with E-Government Act, 2002 (E-Gov) and to provide for alternative submission of information collections. The FNS 775 EmpowHR/Person Model data sheet will eventually be incorporated into a new ServiceNow application that will automate the collection of the non-employee data with a digital signature versus the current paper-based form. ServiceNow is a COTS (Consumer off the Shelf) platform, that has been adopted by the USDA to manage its common business processes. Use of the ServiceNow application will reduce the burden of maintaining paper copies of records and reduce manual processes. The ServiceNow

application is currently in development, with an expected full release into production by the end of 2023. The web based application will be built by contractors, and used by federal employees, to manage onboarding requests for the government. A representative of the contractor's company will securely provide the contractors information by first creating an eAuth (eAuthentication) account : [eAuthentication \(usda.gov\)](https://eAuthentication.usda.gov), and than clicking on a link that is sent to them by the system, to enter the individual's information.

#### **A4. Efforts to identify duplication.**

**Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2.**

Every effort has been made to avoid duplication. There may be similar data collections, such as the current FNS 775 in use without OMB approval; however, those do not meet our needs as they do not contain all of the needed data fields. Missing fields included social security number, address, and citizenship. These fields are required as FNS solely monitors sponsor PIV credentials for background investigations to ensure integrity when granting access to FNS systems.

#### **A5. Impacts on small businesses or other small entities.**

**If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

FNS has determined that the requirements for this information collection do not adversely impact small businesses or other small entities. Information being requested or required has been held to the minimum required for the intended use.

FNS proactively implements roughly 30 (or 50%) small business contracts that require the contractor employees to complete the FNS 775 EmpowHR/Person Model sheet as a manual

process. The collection will be incorporated into the ServiceNow On/Offboarding application that will automate the collection of the non-employee data with a digital signature option. The digitize option will require less time and effort than the manual process currently in use.

**A6. Consequences of collecting the information less frequently.**

**Describe the consequence to Federal program or policy activities if the collection is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

This is an ongoing and mandatory data collection. If the collection is not conducted sponsorship for PIV credential required for facility and system could not be granted; the agency would not be able to conduct a background investigation to ensure integrity before granting accesses to FNS systems. The PII information is only required to be collected upon their affiliation with the agency and only when it is determined they affiliate will require physical and/or logical access to agency resources.

**A7. Special circumstances relating to the Guidelines of 5 CFR 1320.5.**

**Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies**

**that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5.

#### **A8. Comments to the Federal Register Notice and efforts for consultation.**

**If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years even if the collection of information activity is the same as in prior years. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

Consultation was conducted with three federal employees, who use the form as part of their work as CORs (Contracting Officer Representatives). CORs assist with the onboarding of contractors associated with a contract, by using the form to gather the needed data for onboarding. Two sessions were conducted, the first outlining the purpose of the consultation and delivery of questions to be answered by their respondents. The respondents then replied in writing to the questions provided, and a second session was conducted to review the responses.

The participants were: Lenora Hayes, Catrina Lee, and Ambur Daily. See appendix H

Consultation Responses.

No public comments were received from the federal registry notice. Notice of this data collection instrument form number FNS 775 was published in the Federal Register on Friday, June 24, 2022 (Volume 87, Number 121, Page 37813).

**A9. Explain any decisions to provide any payment or gift to respondents.**

**Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No decisions to provide any payment or gift to respondents has been authorized.

**A10. Assurances of confidentiality provided to respondents.**

**Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

FNS complies with the Privacy Act of 1974 (5 USC 552a), which requires the safeguarding of individuals against invasion of privacy. The Privacy Act also provides for the treatment of records collected, used, maintained or disseminated by a Federal agency according to either the individual's name, social security numbers, date of birth and fingerprint (if necessary). The FNS 775 is used to collect this data. This collection contains personally identifying information. The Privacy Act Statement will be displayed on the FNS 775 form (Appendix B) for the respondents review. EmpowHR is covered under the USDA/OP-1, Personnel and Payroll System for USDA Employees, Volume 63, No. 18, page 4213, published January 28, 1998 and USDA/OP-2 Security Records for USDA Employees. Both are attached as Appendix C and D. Privacy Officer Michael Bjorkman reviewed this document on August 24, 2022, and recommended approval of the request.

**A11. Justification for any questions of a sensitive nature.**

**Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered**



**private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

FNS complies with the Privacy Act of 1974 (5 USC 552a), which requires the safeguarding of individuals against invasion of privacy. The Privacy Act also provides for the treatment of records collected, used, maintained or disseminated by a Federal agency according to either the individual’s name, social security numbers, date of birth and fingerprint (if necessary).

Gathering of this sensitive data is needed to identify and validate new hires.

**A12. Estimates of the hour burden of the collection of information. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

FNS anticipates 750 respondents (contractors, interns, affiliates) to respond to the FNS-775 one time annually for a total of 750 total annual responses, it will take approximately 30 minutes (0.5) for a total of 375 annual burden hours.

Appendix G Burden Table

| Affected public | Type of respondents (optional) | Instruments | Form    | Number of respondents | Frequency of response | Total Annual responses | Hours per response | Annual burden (hours) | Hourly Wage Rate | Total Annualized Cost of Respondent Burden |
|-----------------|--------------------------------|-------------|---------|-----------------------|-----------------------|------------------------|--------------------|-----------------------|------------------|--|
| Businesses      | Contractors                    | FNS 775     | FNS 775 | 688                   | 1                     | 688                    | 0.5                | 344                   | \$ 150.00        | \$ 51,600                                  |
| Individuals     | Affiliates, Interns            | FNS 775     | FNS 775 | 62                    | 1                     | 62                     | 0.5                | 31                    | \$ 150.00        | \$ 4650.00                                 |
|                 | <b>TOTAL</b>                   |             |         | <b>750</b>            |                       | <b>750</b>             |                    | <b>375</b>            |                  | <b>\$ 56,250.00</b>                        |

**B. Provide estimates of annualized cost to respondents for the hour burdens for**

**collections of information, identifying and using appropriate wage rate categories.**

The average hourly rate for respondents, the majority of who are technology contractors, is \$150 hr, for all respondents is \$ 56,250,00 (\$150 x 375hrs). The estimates for technology contractors was taken from a typical mid range software development BPA within the USDA. BPA 12314420A0034 shows typical labor rates for contractor technology workers (Appendix F BPA, Adobe page 19). These rates are consistent with other vendors on the BPA. Wage rates were also researched on the BLS.GOV website, but were much lower than the average wage rates for technology contractors.

**A13. Estimates of other total annual cost burden.**

**Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information, (do not include the cost of any hour burden shown in questions 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.**

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

**A14. Provide estimates of annualized cost to the Federal government.**

**Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.**

The total cost to the Federal government is \$1,338,519.5 over a 12-month period, or on an annualized basis.

The information collection also assumes an average of 25% of a Federal COR employee's time per year for a GS-14, step 1 in the rest of USA with the locality annual salary of \$116,393.00. Annual COR cost:  $\$116,393.00 \times 25\% = \$29,098.25.00$  (30 CORS) = \$872,947.50

The information collection also assumes an average of 100% of a Federal PSO (Physical Security Officer) employee's time per year for a GS-14, step 1 in the rest of USA with the locality annual salary of \$116,393.00. Annual PSO cost: \$116,393.00 x 4 PSO = \$465,572.00

Federal employee pay rates are based on the General Schedule of the Office of Personnel Management (OPM) effective January 2023.

**A15. Explanation of program changes or adjustments.**

**Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

This is an existing information collection request in use without a valid OMB control number.

This program change will add 750 respondents, 750 total annual responses and 375 total annual burden hours to the OMB collection inventory.

**A16. Plans for tabulation, and publication and project time schedule. For collections of information whose results are planned to be published, outline plans for tabulation and publication.**

Results will not be tabulated or published. Data collected will be used for internal administration of contracts.

**A17. Displaying the OMB Approval Expiration Date.**

**If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

**A18. Exceptions to the certification statement identified in Item 19.**

**Explain each exception to the certification statement identified in Item 19 of the OMB 83-I" Certification for Paperwork Reduction Act."**

There are no exceptions to the certification statement.