

**SUPPORTING STATEMENT FOR
POLICE CHECK INQUIRY – ATF FORM 8620.42**

A. JUSTIFICATION

1. Explain the 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.

Pursuant to a Memorandum of Understanding and Agreement (MOU) between the Office of Personnel Management (OPM) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), ATF is authorized to conduct security and suitability background investigations on applicants for, or appointees of, ATF positions. Also, pursuant to Executive Orders 10450 and 13467, ATF has the authority to conduct suitability background investigations on contractors and other non-ATF personnel who need to access ATF information, information technology (IT) systems, and/or facilities. ATF contracts multiple services to private industry, which include, but are not limited to, janitorial and cleaning, maintenance and repair, professional and legal, IT, laboratory, and construction services. Additionally, ATF hires consultants to provide advice in their field of expertise.

In the area of law enforcement, ATF routinely asks members of State and local law enforcement agencies to join in a multi-jurisdictional approach to combating crime. In those instances, State and local law enforcement officers not only share ATF space and facilities, but also have access to ATF computer systems and intelligence apparatus. In the event a contractor or other non-ATF personnel require escorted access to facilities, ATF will perform a police check using the Police Check Inquiry- ATF Form 8620.42. Escorted access to ATF facilities will be unauthorized without a favorably adjudicated inquiry.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

ATF Form 8620.42 is used to gather preliminary information from an individual requiring escorted access to ATF facilities. The requested information enables ATF to complete and/or initiate a police check, which includes conducting a criminal record search for the non-ATF personnel. This form also collects personally identifiable information (PII) such as name, Social Security Number (SSN), date of birth, place of birth, race, sex, any aliases, naturalization information, current and previous addresses, and current and previous employers. To ensure compliance with DOJ's residency

requirement, ATF must review the individual's home addresses for the last five years. The Department of Justice (DOJ) guidelines also stipulate that an individual who has not resided in the United States for three of the past five years (with a few exceptions) cannot obtain approval to access DOJ information, IT systems, and/or facilities. In addition, employment, and home addresses are required to perform the mandatory police checks in all applicable jurisdictions where the non-ATF personnel resided during the past five years. Non-ATF personnel will be denied escorted access to ATF facilities if ATF determines they have a criminal record or are otherwise ineligible for access.

3. 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.

ATF makes every effort to take advantage of the electronic collection and dissemination capabilities available. The fillable ATF Form 8620.42 is available on the ATF website to download and print. The forms may be submitted to ATF by scanning the completed and electronically/digitally signed document and emailing them to a specific ATF email address indicated on the form. Individuals with disabilities can access this form.

4. 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 Item A.2 above.

Similar information is available from another collection source. However, that collection is more burdensome on the respondent than ATF Form 8620.42. For instance, persons requiring access to certain levels of sensitive or classified information must complete either the Questionnaire for National Security Positions (SF-86) or the Questionnaire for Public Trust Positions (SF-85P) through the Office of Personnel Management's Electronic Questionnaires for Investigations Processing (e-QIP) system. Both the SF-86 and SF-85P require the respondent to supply certain PII, so that the investigating agency may conduct the requisite criminal record searches, security index and credit inquiries, and other background checks related to the respondent. The e-QIP process takes a respondent several hours to complete. However, ATF Form 8620.42 was proposed as a less burdensome alternative for individuals requiring escorted access to ATF facilities. Specifically, this form allows an individual to obtain a quick police inquiry to determine if they meet the basic requirements for access to ATF facilities, without having to complete the SF-86 or SF-85P.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

There is no significant impact on small business or other private entities.

6. 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.

As an agency upholding the laws of the United States, ATF must ensure ATF employees and non-ATF personnel have the highest degree of integrity and character. ATF personnel must also ensure the safety and security of our government facilities, information, and information technology systems. ATF Form 8620.42 is the primary medium used to gather the PII to conduct police checks for non-ATF personnel requiring escorted access to ATF facilities. ATF would be unable to ensure the safety and security of its resources from non-ATF personnel without this IC.

7. 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 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.

8. 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 periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The 60-Day Notice was published in the Federal Register on [DATE] (XX FR XXXXX).
The comment period ended on [DATE]. No comments were received.

9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.

No government funds will be used as payment or for gifts to respondents.

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

Confidentiality is not required in the processing of this information collection.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and 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.

ATF Form 8620.42 requires respondents to provide their PII including SSN, which is necessary to identify them when conducting criminal record searches. This information collection protects the respondent from erroneous collection of PII information.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Estimated Annualized Respondent Cost and Hour Burden

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
Police Check Inquiry - ATF Form 8620.42	3500	1	3500	10min	595 hours		
<i>Unduplicated Totals</i>							

Hourly rate source citation or you may enter a footnote:

13. Provide an estimate 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 Items 12 and 14).

- **The cost estimate 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 service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the**

time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

There are/are no start-up costs associated with this collection. OR

The annual IC cost burden for this collection is \$

14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

15. Explain the reasons for any program changes or adjustments.

There are no adjustments associated with this IC.

16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

ATF will not publish this information collection.

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

[COLLECTION TITLE]
OMB Control Number XXXX-XXXX
OMB Expiration Date: XX/XX/XXXX

We are requesting no exemption.

18. Explain each exception to the certification statement.

This collection of information does not include any exceptions to the certificate statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does/does not contain statistical data.