

## SUPPORTING STATEMENT - PART A

### Police Record Check - 0704-0007

#### Summary of Changes from Previously Approved Collection

- Increase in burden due to an increase in those seeking enlistment or placement into the Armed Forces. The respondent population consists of those who qualify for service and those who do not complete or make it to enlistment that go through the accessions process.
- DD 369, "Police Record Check", has been revised to be complaint with the Office of Management and Budget's (OMB's) Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD15) Figure 1.

#### 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 the 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 be 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

[https://www.esd.whs.mil/Directives/forms/dd0001\\_0499/DD369/](https://www.esd.whs.mil/Directives/forms/dd0001_0499/DD369/). The DD Form 369 that can be accessed through this link is the approved form from the 2022 approval cycle. The website will be updated with the form that is SPD 15 Figure 1 compliant for race and ethnicity upon the approval of this collection. 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 Monday, December 30, 2024. The 60-Day FRN citation is 89 FRN 106454.

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

A 30-Day Federal Register Notice for the collection published on Thursday, May 29, 2025. The 30-Day FRN citation is 90 FRN 22711.

## 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:

United States Military Entrance Processing Command (USMEPCOM) Integrated Resource System (USMIRS), A0601-270 at:

<https://www.federalregister.gov/documents/2021/04/21/2021-08286/privacy-act-of-1974-system-of-records>

Military Human Resource Records, DoD-0020 at:

<https://www.federalregister.gov/documents/2024/05/15/2024-09967/privacy-act-of-1974-system-of-records>

United States Coast Guard Military Pay and Personnel System, DHS/USCG-014 at:

<https://www.federalregister.gov/documents/2008/12/19/E8-29793/privacy-act-of-1974-united-states-coast-guard-014-military-pay-and-personnel-system-of-records>

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

An approved Social Security Justification Memorandum for the DD Form 369 is also attached.

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 sex, 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 Office of Management and Budget's (OMB's) Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD15) Figure 1, <https://www.federalregister.gov/documents/2024/03/29/2024-06469/revisions-to-ombs-statistical-policy-directive-no-15-standards-for-maintaining-collecting-and-presenting-federal-data-on-race-and-ethnicity> 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 in accordance with DoD Instruction 1000.30 Acceptable Use Case (2) Law Enforcement, National Security and Credentialing. As the SSN is the only unique identifier used across state, local, and federal law enforcement systems, it's collection on the DD Form 369 is required to ensure proper identify validation and 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 sex/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 could cause information discrepancy and possibly the erroneous release of personal information. Law enforcement agencies, therefore, will not run the record check without the entire SSN to ensure the accuracy and validity of all information provided. 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: 199,521
- b) Number of Responses Per Respondent: 1
- c) Number of Total Annual Responses: 199,521
- d) Response Time: 27 minutes
- e) Respondent Burden Hours: 89,785 hours

#### 2) Total Submission Burden

- a) Total Number of Respondents: 199,521
- b) Total Number of Annual Responses: 199,521
- c) Total Respondent Burden Hours: 89,785 hours

### Part B: LABOR COST OF RESPONDENT BURDEN

#### 1) Collection Instrument(s)

[DD369]

- a) Number of Total Annual Responses: 199,521
- b) Response Time: 27 minutes
- c) Respondent Hourly Wage: \$17.49
- d) Labor Burden per Response: \$7.87
- e) Total Labor Burden: \$1,570,330

#### 2) Overall Labor Burden

- a) Total Number of Annual Responses: 199,521
- b) Total Labor Burden: \$1,570,330

The Respondent hourly wage was determined by using the U.S. Bureau of Labor Statistics.  
<https://www.bls.gov/oes/tables.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: 199,521
  - 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: \$1,663,706
- 2) Overall Labor Burden to the Federal Government
- a) Total Number of Annual Responses: 199,521
  - b) Total Labor Burden: \$1,663,706

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: \$1,663,706
- 2) Total Operational and Maintenance Costs: \$0
- 3) Total Cost to the Federal Government: \$1,663,706

15. Reasons for Change in Burden

There has been an increase in burden due to an increase in those seeking enlistment or placement into the Armed Forces. The respondent population consists of those who qualify for service and those who do not complete or make it to enlistment that go through the accessions process.

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.