

Department of Justice  
Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)  
Information Collection Request (ICR)  
OMB 1140-0122  
**Request for Temporary Eligibility to Hold a Sensitive Position (ATF Form 8620.69)**

**SUPPORTING STATEMENT**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the information collection necessary.**

Pursuant to the Memorandum of Understanding (MOU) between the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and the Office of Personnel Management (OPM), dated March 3, 2000, ATF is authorized to conduct personnel security and suitability background investigations and periodic reinvestigations. Investigations are conducted on applicants and employees in competitive service positions, as well as candidates, contractors, task force officers (TFOs), or volunteers/interns in ATF service provider positions. All personnel security investigations are conducted in accordance with the Intelligence Reform and Terrorism Prevention Act of 2004, 5 CFR part 736, Trusted Workforce 2.0, corresponding Federal Investigative Standards, and Executive Orders 13467 and 13764.

ATF recruits individuals for placement into full-time equivalent federal positions and solicits individuals through the federal acquisition process to fill non-ATF personnel (contractors, TFOs, and volunteers/interns) positions. Candidates who are tentatively selected for positions must meet federal, Department of Justice, and ATF basic qualification requirements, before they may be granted access to ATF information, information technology (IT) systems, and/or unescorted access to ATF facilities. Individuals will not be granted access if they fail to comply with these requirements and receive an unfavorable adjudication of their background investigation and/or polygraph examination (special agent applicants only).

**2. Indicate how, by whom, and for what purpose the information is to be used.**

In the case of critical public trust positions, when there is a need to fill the position as soon as possible, ATF may offer the person selected for a job the option to begin work before the background investigation process is complete. However, such offers are on a temporary basis, pending the conclusion of the background investigation with a positive outcome, and if the outcome is not positive, the candidate would have to leave the position. As a result, ATF notifies the candidate of the possibility that they could be offered the position on a temporary basis pending the investigation's conclusion and asks them if they would be willing to accept a temporary offer to begin with. ATF uses ATF Form 8620.69, Request for Temporary Eligibility to Hold a Sensitive Position, to notify candidates of this option and request their choice as to whether they'd accept such an offer or not. ATF also uses the form to collect information that ATF uses to determine if the candidate (respondent) can be granted temporary eligibility to hold a sensitive position prior to completion and adjudication of their full background investigation.

ATF's Personnel Security Division (PSD) staff may approve the request after the initial stages of the background check process have been completed, which include a favorable review of the candidate's completed Standard Form 85-P, Questionnaire for Public Trust Positions, and applicable record checks. Based on these analyses, PSD staff will determine if the candidate may be granted temporary access to ATF information, IT systems, and/or unescorted access to ATF facilities, if they have also agreed to accept a temporary offer.

**3. Describe whether, and to what extent, the information collection involves using 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.**

ATF makes every effort to take advantage of available electronic collection and dissemination capabilities. The candidate's sponsoring office emails the fillable ATF Form 8620.69 (with electronic signature capability) to the candidate, along with submission instructions for returning the completed package by email to ATF for processing. Candidates are able to electronically complete and sign the form, and electronically submit it as an encrypted or password-protected completed form by email.

**4. Describe efforts to identify duplication.**

This information is not duplicative; it requires a unique choice by a candidate and accompanying information from which to make the specific decision about eligibility to fill a sensitive public trust position prior to completion of the background check process. ATF also uses a uniform subject classification system for forms to identify duplication and to ensure that any similar information already available cannot be used or modified for use for the purpose of this information collection.

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

This information collection does not have a significant impact on small 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.**

ATF must ensure that all employees and non-ATF personnel have the highest degree of integrity and character, while maintaining the safety and security of ATF information, IT systems, and facilities. However, ATF also needs to be able to fill critical public trust positions in a timely manner, and, depending upon backlog at the agency conducting the background investigations, this may take a significant period of time. This also means that eligible candidates might have to wait a long time to receive an offer. As a result, this information collection ensures a balance between these two interests and enables ATF to fill critical positions while ensuring security and candidates can begin working earlier. ATF would be unable to hire necessary candidates for such

positions, candidates would have delays in onboarding, and ATF would be unable to ensure the safety and security of its resources without this information collection.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with 5 CFR 1320.6.**

There are no special circumstances associated with this information collection, which is conducted in a manner consistent with 5 CFR 1320.6.

**8. If applicable, provide a copy and identify the date and page number, of the agency's notice published in the *Federal Register*, as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB.**

The 60-Day Notice was published in the *Federal Register* on [xx/xx/xx] (XX FR XXXXX). The comment period ended on [xx/xx/xx]. ATF received no comments.

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

No payment or gift is associated with this collection.

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

ATF has not assured respondents of confidentiality. However, the information being collected includes PII and is thus protected by the Privacy Act. The information is maintained by ATF in system of records, Justice/ATF-006, Internal Security Record System, and becomes part of the respondent's permanent personnel security record. The form that accompanies this ICR includes a Privacy Act statement that covers this information and informs respondents of the system of records, routine uses, etc.

**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 information collection does not ask questions or require information of a sensitive nature.

**12. Provide estimates of the information collection's hour burden.**

There are an average of 1,000 respondents completing this form each year. ATF therefore estimates that this average volume will extend to the future, although the number will likely be lower due to funding decreases and resulting impacts on jobs.

Each respondent responds one time per year. We estimate that it takes 5 minutes (0.08 hours) for a respondent to complete the form. The total annual burden hours associated with this collection are therefore 80 hours (1,000 candidates \* 0.08 hours).

Because the respondents must complete this form in order to be employed in the relevant ATF position, ATF assumes that they would not be doing the application during paid work time. Therefore, ATF calculated the monetized value of that time using a standard “leisure wage” formula. For this calculation, ATF used a methodology developed by the Department of Health and Human Services (HHS). Because HHS’s methodology relies on Bureau of Labor Statistics (BLS) data that is updated on a monthly basis, we did not need to use an inflation-adjusted wage rate. Accordingly, consistent with HHS’s methodology, we used the BLS median weekly income for full-time employees as the base from which to calculate the hourly leisure wage. Based on this methodology, ATF attributes a rounded value of \$23 per hour for time spent by respondents to complete the appeal.

We then multiplied the hourly burden outlined above by the \$23 hourly leisure wage rate to account for the value of time spent completing the form. The monetized annual hourly burden for this information collection is therefore \$1,840. Table 1 provides the number of respondents, annual number of responses, hourly burden, and monetized value of respondent time.

**Table 1. Annual monetized hourly burden costs (rounded)**

Activity	Number of respondents	Frequency per year	Total annual responses	Time per response	Total annual burden (hours)	Hourly rate per response*	Monetized value of respondent time
Request for temporary eligibility	1,000	1 time	1,000	0.08	80	\$23	\$1,840

**13. Provide an estimate of the total annual cost burden to respondents or record-keepers resulting from the information collection. (Do not include the cost of any hour burden shown in Items 12 and 14).**

There are no additional costs associated with this information collection.

**14. Provide estimates of the annualized cost to the federal government.**

ATF estimates no additional costs to the federal government associated with this collection. This is due to the current staffing and administrative capacity already in place to complete any marginal processing required under this information collection, with long-term staffing capacity serving as a sunk cost.

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

This information collection reflects a decrease in the number of respondents from 2,000 to 1,000 due to budget cuts that affect open positions. This has resulted in a corresponding change in annual burden hours from 160 to 80. ATF has also included monetized costs for the burden

hours. However, ATF is no longer including the cost of mailing the form because it can now be filled, signed, and submitted electronically, which has reduced that cost from \$2,000 to \$0.

**16. For information collections whose results will be published, outline plans for tabulations, and publication.**

ATF will not publish the results of this 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.**

ATF intends to display the OMB expiration date for this information collection.

**18. Explain each exception to the certification statement.**

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

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.**

This collection does not employ statistical methods.