

Supporting Statement A

National Aeronautics and Space Administration NASA Complaint of Discrimination Form 1355 OMB Control No. 2700-0163

Type of information collection: Revision of currently approved collection.

Abstract: The National Aeronautics and Space Administration (NASA) collects information from individuals who file a complaint of discrimination using NASA Complaint of Discrimination public form NF1355P. This information is necessary for NASA to comply with Federal Equal Employment Opportunity requirements and to ensure concerns of discrimination are addressed promptly and appropriately. NASA uses the information to process, track, and report discrimination complaints in accordance with applicable regulations and program management needs.

Summary of Changes from Previously Approved Collection:

- Form text was updated, including removal of gender/sex-related selection boxes in Question 6, to align with current Executive Orders and regulatory requirements.
- Contact information was updated.
- Paperwork Reduction Act (PRA) and Privacy Act Statements were revised, including updated System of Records Notice (SORN) citation.
- Annualized Federal Government costs were updated from \$29,768 to \$52,612.30 to reflect current rates.
- Cost to Respondents was updated from \$500 to \$738.15.

1. Need for the Information Collection.

This information collection is required to ensure NASA compliance with the Civil Rights Act of 1964, the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act of 1972, and NASA Policy Directive 3713.6Q (found online at <https://nodis3.gsfc.nasa.gov/displayDir.cfm?t=NPD&c=3713&s=6Q>), Delegation of Authority to Act in Matters Pertaining to Discrimination Complaints under 29 CFR Part 1614.

It is NASA's policy to provide Equal Employment Opportunity (EEO) to members of the public engaged in business with NASA, and to individuals seeking Federal employment regardless of race, color, religion, sex, national origin, age, disability, pregnancy, childbirth, or related medical conditions, or genetic information. Pursuant to this policy, NASA:

- Prohibits discrimination on these bases in the workplace and the Agency's employment practices.
- Strives to provide and maintain a work environment that is free of all forms of discrimination, including discriminatory harassment, as well as reprisal or retaliation for engaging in protected EEO activity.
- Seeks to address harassing conduct at the earliest possible stage before it can become severe or pervasive.

In addition to statutory requirements, NASA's reporting obligations under Equal Employment Opportunity Commission (EEOC) Management Directive 715 (MD-715) further support the Agency's commitment to a model EEO program. Pursuant to MD-715, it is NASA's policy to promote the full realization of a model EEO program by effectively considering and addressing concerns that arise under Title VII and Section 501 of the Rehabilitation Act. NASA's efforts to be a model Agency for EEO include identification of, and strategies to remove, deficiencies in EEO programs and barriers to EEO in any aspect of Agency policies, programs, or practices, including but not limited to outreach and recruiting, hiring, promoting, training, awareness, and facilities and program accessibility for employees of NASA. This information collection also supports NASA's self-assessment processes in that regard.

2. Purpose and Use of Information Collection.

The NASA Office of Equal Opportunity will use the information collection to:

- Comply with the EEOC annual reporting requirement through the Annual Federal EEO Statistical Report of Discrimination Complaints (Form 462), which requires NASA to report on the Federal Workforce that includes, among other data, information on Federal EEO complaints and Alternative Dispute Resolution (ADR) activities.
- Ensure timely and appropriate processing of discrimination complaints.
- Facilitate NASA's efforts in conducting assessment of the Agency's EEO programs that will ensure NASA maintains a model EEO Program.

Information submitted by a complainant is maintained by NASA in accordance with the Privacy Act of 1974 and the NASA Records Retention Schedule 03/002.5(found online at https://nodis3.gsfc.nasa.gov/NPR_attachments/NRRS_1441.1_09032025.pdf)

3. Use of Information Technology.

The NASA Complaint of Discrimination form NF 1355P is for the public and available electronically in an Adobe format. The form can be filled in electronically, but applicants and non-NASA employees will need to print and submit a hard copy with signature through mail, email, fax, or in person. Approximately 95 percent of submissions are received electronically, with the remaining 5 percent submitted as hard copies.

4. Duplication of Information.

There is no duplication. During 2024, a review of forms used at NASA within the Office of Equal Opportunity to support the "complaints of discrimination" process was conducted. No duplicate information collection forms/processes were identified.

5. Burden on Small Businesses.

The collection of information does not impact small businesses or other small entities.

6. Consequences of Not Conducting Collection.

The EEOC requires Federal agencies to implement a program designed to address and eliminate discrimination in the workplace, as mandated by Title VII of the Civil Rights Act of 1964. Failure to maintain and regulate a properly functioning program is in violation of the law and could lead to penalty and Federal sanction. NASA collects information

necessary to resolve, process, and adjudicate complaints of discrimination.

7. Special Circumstances.

The collection of information is conducted in a manner consistent with the 5 CFR 1320.6 guidelines.

8. Consultations with Persons Outside the Agency and Public Comments.

A 60-day Federal Register Notice (FRN): 91 FR 15643 was published on 3/30/2026.

Two public comments were received on 04/06/2026. One comment suggested adding a section requesting documentation for corroborating evidence and the name of a witness. NASA complies with the EEOC Management Directive 110, and per Chapter 2, Section VIII.B, this information is not required. NASA appreciated the commenters' feedback and determined that no changes to the collection were necessary. Another comment raised concerns about the use of the phrase "gender identity" in the form's header and instructions. NASA updated the language to use "sex" to align with current federal requirements.

The 30-day FRN: 91 FR 54890 was published on 08/25/2026.

9. Payments or Gifts.

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Confidentiality Provided to Respondents.

NASA does not provide assurance of confidentiality; however, under Title VII, the complainant has a limited right to confidentiality. Consistent with 29 CFR § 1601.22, information related to a complaint may be shared only on a need-to-know basis with relevant management officials and others as permitted by law.

Personal and sensitive information collected is handled in accordance with NASA's privacy and information security policies. A Privacy Impact Assessment has been completed for this collection. All information collected on NASA Form 1355P is maintained under the Privacy Act of 1974 in accordance with SORN: Age Discrimination in Employment Act, Equal Pay Act, and Section 304 of the Government Employee Rights Act Discrimination Case Files (EEOC/GOVT1) <https://www.federalregister.gov/d/2016-27702>.

11. Questions of Sensitive Nature.

This NASA Form 1355P does collect information of a sensitive nature to determine the bases, as defined by Title VII, upon which the complainant is alleging discrimination. The Agency utilizes this information to maintain contact with the complainant, to contact and interview the complainant and relevant managers and witnesses, and to obtain information from the Agency about the data trends of that organizational unit.

12. Burden of Information Collection.

The table below summarizes the estimates of the hour burden of the collection of information.

Category of Respondents	Annual Responses	Estimated Time per Response	Total Annual Burden
Individuals (Public)	60	30 minutes	30 hours

13. Annual Cost to Respondents.

NASA Form 1355P requires an original signature; therefore, a small number of respondents may elect to mail the signed form. Based on 60 annual respondents, approximately 95 percent (about 57 individuals) submit electronically by fax, email, or hand-carry at no cost, while 5 percent (approximately 3 individuals) mail their completed forms. Using the current USPS First-Class postage rate of \$0.95 per envelope, the estimated annual postage cost to respondents is: 3 mailed responses × \$0.95 = \$2.85 annually.

In addition to postage, respondents incur an hour-burden cost associated with completing the form. Per the Bureau of Labor Statistics 2025 Occupational Employment and Wage Statistics wage data (found online at <https://data.bls.gov/oes/#/area/0000000/2025>), the median hourly wage for members of the public is \$24.51 per hour.

With a total annual burden of 30 hours, the annualized labor cost to respondents is:

30 burden hours × \$24.51 = \$735.30

Total Annual Cost to Respondents: \$735.30 (labor cost) + \$2.85 (postage cost) = \$738.15.

Cost per Response: 0.5 hours × \$24.51 = \$12.255

Average Total Cost: \$738.15 total annual cost ÷ 60 responses = \$12.3025

14. Cost to the Federal Government.

Employee costs were calculated using the U.S. Office of Personnel Management (OPM) 2026 General Schedule (GS) Salary Table for the Locality Pay Area of Washington-Baltimore-Arlington, DC-MD-VA-WV-PA (found online at https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/26Tables/html/DCB_h.aspx):

1. Store 100 forms at \$0.0473 per page = \$4.73
2. Employee labor and materials to consolidate the information collected for reporting purposes = GS-12 Step 5 (hourly rate at \$55.62) x 1 hour per form x 60 forms = \$3,337.20
3. Employee labor for analyzing, evaluating and reporting (462):
 - a) Annual Maintenance of Complaints tracker = \$25,739.85
 - b) Annual 462/Complaints tracking training = \$458.44 x 3 employees = \$1,375.32
 - c) Maintenance of Complaints tracker data = GS-12 Step 5 (hourly rate \$55.62) x 10 hours a pay period x 26 pay periods = \$14,461.20
 - d) Completion of EEOC Form 462:
 - a. GS-12 Step 5 (hourly rate at \$55.62) x 40 hours x 2 = \$4,449.60
 - b. GS-15 Step 1 (hourly rate at \$81.11) x 40 hours = \$3,244.4

The total estimated annual cost to NASA is \$52,612.30.

15. Reasons for Change in Burden or Annualized Costs to Respondents.

NASA updated the cost burden to reflect actual respondent behavior and current non-hour costs. While the number of respondents and the completion time remain unchanged, the prior flat \$500 postage estimate was replaced with a data-driven calculation showing that only a small percentage of respondents mail their forms and most use alternative no-cost submission methods (fax, email, hand-carry). This update reduces the postage cost to \$2.85 annually and results in a more accurate total respondent cost of \$738.15.

16. Publications of Results.

NASA does not publish the results of information collected; however, NASA provides information to the EEOC which publishes aggregate complaints and ADR data. No information that will identify specific individuals is included.

The data collected via NASA Form 1355P is used to enter information into the Agency's complaints tracking system. Information in this system is used to complete the EEOC Form 462, the Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints. No tabulation, analysis, or publication of individual-level results is performed by NASA.

17. Display of OMB Number.

NASA displays an approved PRA statement in the form, including the required OMB control number and expiration date.

18. Exceptions to Certification for Paperwork Reduction Act Submissions.

There are no exceptions to the certification statement stated in 5 CFR 1320.9.