

SUPPORTING STATEMENT

Application for Correction of Military Records Under the Provisions of Title 10, U.S. Code, Section 1552, OMB 0704-0003

A. JUSTIFICATION.

1. Need for Information Collection

Under Title 10 United States Code § 1552, Active Duty and Reserve Component Service members, Coast Guard, former Service members, their lawful or legal representatives, spouses of former Service members on issues of Survivor Benefit Program (SBP) benefits, and civilian employees with respect to military records other than those related to civilian employment, who feel that they have suffered an injustice as a result of error or injustice in military records (hereafter referred to as respondents) may apply to their respective Boards for Correction of Military Records (BCMR) for a correction of their military records. These Boards are the highest level of administrative review authority regarding official personnel records in the Military Departments. The information collected is needed to provide the Boards the basic data needed to process and act on the request.

2. Use of Information

The respondents submit to the respective BCMR review Boards a DD Form 149, "Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552." The information from the DD Form 149 is used by the respective Service Review Boards in processing the respondent's request authorized under 10 USC § 1552. The DD Form 149 was devised to standardize application to these Boards. This information is used to identify and secure the appropriate official military and medical records from the records storage facilities. Information on the form is also used to determine current status, to allow respondents to designate counsel of choice, to identify the issues involved, and to determine if the request was filed within the three-year statute of limitations established by Congress.

Over the past three years, the information collected from the DD Form 149 has been used by the respective Military Department correction Boards to determine if an error or injustice has occurred in an individual's military record and to promulgate a correction based on justice, equity, and compassion.

3. Improved Information Technology

The DD Form 149 is available to the public electronically on-line from the Department of Defense forms website <http://www.dtic.mil/whs/directives/infomgt/forms/efoms/dd0149.pdf>. For respondents who have access to computerized information technology, the DD Form 149 can be completed on-line before printing for signature. A signed DD Form 149 is required from each respondent that indicates the information provided is true and that the respondent has full knowledge of penalties involved for willfully making a false statement.

At this time there is no practical or cost effective way to completely implement the requirements of the Government Paperwork Elimination Act. It does not appear that the electronic signature is practical to use for the respondent's limited submission of a DD Form 149. There is an ongoing initiative within the Department of Defense to provide the capability to deploy public key infrastructure (PKI) for its issuance of certificate-based digital signatures. In the future, based on the outcome and requirements of the DoD PKI initiative, electronic signatures may be considered for use with the DD Form 149 if the burden and cost to the applicant is minimal.

4. Non-Duplication

There is no duplication. The DD Form 149 is used by all the Services for identical purposes. No similar information is readily available from which an individual appeal could be processed. The respondent must initiate the appeal and must provide personal information, including name, address, social security number, and branch of service and, as appropriate, current grade, current status, organization at the time of the alleged error in the record, whether there is a desire to appear before the Board, a summary of the evidence submitted, the date of discovery of the alleged error or injustice, and, if applicable, the reason for failure to file within three years.

5. Burden on Small Business

Small businesses and other small entities are not involved.

6. Less Frequent Collection

This information is collected from the respondent on occasion. If this information was not collected or collected less frequently, respondents would be unable to apply to their respective BCMRs to request correction of alleged error contained in their military records and/or a correction of an injustice. Without this collection of information, DoD would be unable to comply with the current law.

7. Paperwork Reduction Act Guidelines

There are no special circumstances. The data collection will be conducted in a manner consistent with guidelines in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

A 60-day Federal Register Notice has been published in Volume 79, No. 161, page 49287, August 20, 2014. No public comments were received. The Service correction review boards are primary users of the information collected on the DD Form 149.

DD Form 149 has been in use and tested for years. Less than 1% are questioned or mis-routed.

A 30-day Federal Register Notice has been published in Volume 79, No. 210, page 64580, October 30, 2014.

9. Gifts or Payment

No payment or gifts will be made to respondents.

10. Confidentiality

The collected information is used to process a respondent's request. During the processing, records are maintained in areas accessible only to authorized personnel. The building employees and security guards control access to the information.

Applicable SORNs:

Army <http://dpclo.defense.gov/Privacy/SORNsIndex/DODComponentArticleView/tabid/7489/Article/6000/a0015-185-sfmr.aspx>

Navy and Marine Corps

<http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/6510/nm01000-1.aspx>

Air Force <http://dpclo.defense.gov/Privacy/SORNsIndex/DODwideSORNArticleView/tabid/6797/Article/5904/f036-safpc-d.aspx>

Coast Guard

<http://www.gpo.gov/fdsys/pkg/FR-2011-10-28/html/2011-27881.htm>

PIA:

The PIA URL is http://ciog6.army.mil/Portals/1/PIA/2012/ACTS_PIA.pdf (specific PDF) or <http://ciog6.army.mil/PrivacyImpactAssessments/tabid/71/Default.aspx> (for the Army's CIO/G-6 PIA webpage).

11. Sensitive questions.

No sensitive questions are asked in the collection. Respondents furnish only that information relevant and necessary to process their request.

Social Security Number (SSN): Is requested to ensure accuracy of data involving the specified individual applicant. The form states this information is voluntary; however, failure of the applicant to provide their SSN may delay the processing of the application.

Personal Identifying Information (PII): Respondents are advised that their data is for Official Use Only and will be maintained and used in strict confidence in accordance with Federal law and regulations and that the procedures are in place to protect the confidentiality of the information. The erroneous release of PII might cause legal action from individuals against DoD and/or the government. All personal information provided by the subject falls under the Privacy Act of 1974 and OMB Circular A-108.

12. Response Burden, and its Labor Cost

Respondent for Collection of Information. Please note that this number has been adjusted based on Military Department annual reports.

a. Estimation of Respondent Burden

(1) DD Form 149

Total annual respondents:	36,110
Frequency of response:	1
Total annual responses:	36,110
Burden per response:	30 minutes
Total burden hours:	18,055 hours

b. Labor Cost of Respondent Burden

The 30 minute per form response time was determined by having an Army Review Board Agency employee sit down and fill out the DD Form 149.

$\$7.25/\text{hour}$ (Federal minimum wage) x 18,055 hours = $\$130,898.75$.

13. Respondent Costs Other than Burden Hour Costs

a. Total Capital and Start-up Cost.

There are no capital or start-up costs associated with this information collection. Respondents will not need to purchase equipment or services to respond to this collection.

b. Total Operation and Maintenance Cost.

(1) Photo copy of supporting documentation
(average number per submission)

5 pages at \$.10 per page = $\$.50 \times 36,110$ applications = $\$18,055$

(2) Mailing of DD Form 149 and supporting documents:

36,110 x \$ 1.39 (postage) per application = $\$50,192.90$

36,110 x \$.10 (envelope) per application = $\$3,611$

TOTAL ANNUAL RESPONDENT O&M COST = $\$71,858.90$

14. Cost to the Federal Government.

(a) Printing individual forms on Federal Government computer

printers: 12,000 forms @ 20 cents per form (2 sided) = $\$ 2,400$

(This cost is based upon a substantial number of written requests that are sent to the Boards from retirees or inmates requesting forms. These individuals often do not have ready access to electronic versions of the form. This figure should eventually go down in the future as more senior citizens and inmates obtain the form online).

(b) Photo copying and word processing (paper, toner, machines) of form, supporting documentation, and decisional documents for mailing and archiving:		
	36,110 x \$5.11 per decision =	\$184,522.10
(c) Mailing between offices and records repositories of form, records, advisory opinions, and decisional documents:		
	36,110 x \$2.28 per applicant =	\$82,330.80
(d) Mailing decisional documents to respondents:		
	36,110 x \$.39 (postage) per decision =	\$14,082.90
	36,110 x \$.05 (envelope) per decision =	\$ 1805.50
	TOTAL ANNUAL MATERIALS COST =	\$282,786.30

(e) Labor Costs:

The following estimate involving labor costs is based on the personnel structure at the Army Board for the Correction of Military Records, which is similar to the other Services boards. Additionally, for each category, an average salary for the personnel was used to determine the hourly rate.

Examiner Staff:		
	4 staff at average \$9.60/hr x 7 hrs =	\$ 268.80
Support Staff:		
	Screening and Processing	
	6 personnel at average \$4.10/hr x 6 hrs =	\$ 147.60
	Archiving and Promulgating	
	2 personnel at average \$12.60/hr x 1 hr =	\$ 25.20
	Mail Handling	
	2 personnel at average \$7 x ¼ hr =	\$ 3.50
	IT Technical Support	
	2 personnel at average \$12/hr x ¼ hr =	\$ 6.00
Board Members:		
	3 board members at average \$15.33/hr x ½ hr =	\$ 23.00
Board Approval by Secretarial Representative:		
	\$56.00/hr x ½ hr =	<u>\$ 28.00</u>
	Total Labor Cost <u>Per Case</u> =	\$ 502.10

TOTAL LABOR COST FOR 33,000 RESPONDENTS	\$16,569,300.00
TOTAL COST TO THE GOVERNMENT	<u>\$16,923,945.20</u>

15. Reasons for Change in Burden.

Change in burden hours is due to the slight increase in the number of respondents. The increase in the number of individuals seeking to correct their military records is likely due to the higher operations tempo of the armed forces; a higher operations tempo increases the likelihood that mistakes will occur in the filing or processing of military personnel records. A military drawdown would likely decrease the number of Service members who apply for a correction to their military record.

16. Publication of Results

Information is not tabulated or published. This collection of information does not employ statistical methods.

17. Non-Display of OMB Expiration Date

DoD is not seeking an exception to displaying the expiration date of this information collection.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

No exceptions to the certification statement are being requested.