

**1SUPPORTING STATEMENT  
1110-0039**

**FEDERAL BUREAU OF INVESTIGATION BIOTERRORISM PREPAREDNESS ACT:  
ENTITY/INDIVIDUAL INFORMATION**

A. Justification.

1. Necessity of Information Collection

In June 13, 2002, the President of the United States signed the Public Health and Bioterrorism Preparedness and Response Act of 2002, (Bioterrorism Act), Public Law 107-188 into effect. Under this Act, the Secretaries of the United States Department of Agriculture (USDA) and Health and Human Services (HHS), in consultation with the U.S. Attorney General, are responsible for establishing the appropriate safeguards and security requirements for persons possessing, using, or transferring select biological agents and toxins. Responsibility for implementing these requirements has been designated to the Animal and Plant Health Inspection Service and by the Secretary, USDA, and to the Centers for Disease Control and Prevention by the Secretary, HHS. Under the Bioterrorism Act, the Department of Justice/FBI is responsible for conducting a Security Risk Assessment (SRA) of individuals who have been identified by the USDA and HHS as requiring access to select biological agents and toxins.

On January 30, 2003, the U.S. Attorney General directed the FBI to conduct the Bioterrorism SRAs under sections 201, 212 and 221 of the Public Health Security and Bioterrorism Act, Pub. L. 107-188, 166 Stat. 594 (2002). On March 25, 2003, FBI Director Mueller directed the Criminal Justice Information Services (CJIS) Division to conduct the Bioterrorism SRAs. Under this delegation, the FBI receives names and other identifying information submitted by individuals requesting access to specified agents and toxins; utilizes electronic databases and other sources of information to conduct SRAs of such individuals; and consult with appropriate officials of the HHS and the USDA to determine whether certain individuals should be denied access to or granted limited access to specified agents.

The HHS and USDA provide the CJIS Division with completed FD-961 Information Forms which contain identifying information on the individual seeking access to the listed agents and toxins. The CJIS Division uses identification information submitted by each individual to complete SRAs on the following databases: Interstate Identification Index (III), the National Crime Information Center (NCIC) "hot files", the FBI Indices, the Foreign Terrorist Tracking Task Force (FTTTF) Database, the Bureau of Immigration and Customs Enforcement (ICE) Databases, and the FBI's Department of Veterans Affairs (DVA) Database. A "routine use" is being established to allow the CJIS Division access to the Department of Defense's (DOD) dishonorable discharge data for Bioterrorism SRAs.

A revision of this currently approved collection is requested in addition to a 3-year extension.

1The revisions on the existing form are:

Revisions for the Instructions:

Under Requirements for New or Inactive Applicants – the address should reflect Module D-3 instead of Module E-3

Under Requirements for Active Applicants – the paragraph should be changed as follows:  
If the applicant has an active SRA on file with BRAG, the FD-961 Form can be completed and emailed to BRAG at [FD961@leo.gov](mailto:FD961@leo.gov). Please ensure that the photo is scanned according to the digital image requirements on page 4 of the FD-961 and as listed in the Instructions for Section IV. Fingerprint cards are not required; however, BRAG reserves the right to request additional fingerprint cards if necessary.

Under Completion of FD-961 Form – change the revision date to Rev. 04-01-2014

### **Section I:**

Question 1 changed to Provide the legal name of the entity.

Question 2 changed to Enter the entity application number supplied by APHIS or CDC (AGRXXXXXX or CDCXXXXXX).

Question 3 changed to Provide the physical address for the entity including street, city, state and zip code.

### **Section II:**

Question 3 is renumbered to Question 4

Question 5 is changed as follows:

5a. Applicant's last name (last name suffix, e.g. Jr. or III). The name provided in blocks 5a-5c should be identical to that listed on the APHIS/CDC Form 1.

5b. Applicant's first name.

5c. Applicant's middle name.

5d. List all Aliases/Maiden names (Last, First, Middle).

Question 5 from old form is renumbered to Question 6

Question 6 from old form is renumbered to Question 7

Question 7 from old form is renumbered to Question 8

Question 7a from old form is renumbered to Question 8a and changed to read as follows:  
Indicate if applicant has any previous states of residence (states in which the applicant has resided since the age of 18).

Question 7b from old form is renumbered to Question 8b and changed to read as follows: List all states that the applicant resided in as an adult (18 yrs of age and older).

Questions 9-14 were added as follows:

9. Applicant's home phone number(s) (xxx-xxx-xxxx).

10. Applicant's cell phone number(s) (xxx-xxx-xxxx).

11. Applicant's email address(es).

12. Applicant's sex (male or female).

13. Indicate applicant's ethnicity (choose Hispanic or Latino or Not Hispanic or Latino).

Ethnic Categories ("Hispanic or Latino" and "Not Hispanic or Latino")

- **Hispanic or Latino:** An indication that the person traces his or her origin or descent to Mexico, Puerto Rico, Cuba, Central and South America, and other Spanish cultures, regardless of race.

14. Indicate applicant's race (mark all races that apply) using the decision chart below:

Racial Categories

- **American Indian or Alaska Native:** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains cultural identification through tribal affiliation or community attachment.
- **Asian:** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. This area includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- **Black or African American:** A person having origins in any of the black racial groups of Africa.
- **Native Hawaiian or Other Pacific Islander:** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **White:** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Question 10 from old form renumbered to Question 15.

Question 11 from old form renumbered to Question 16.

**Section III:**

Change 12j to 121

Changed 12c to read as follows:

***Fugitive from justice*** - Any person who has fled from any state to avoid prosecution for a felony or a misdemeanor; or a person who leaves the state to avoid giving testimony in any criminal proceeding; or a

person who knows that misdemeanor or felony charges are pending against such an individual and who leaves the state of prosecution and does not appear before the prosecuting tribunal. Fugitives from justice do not include individuals who are charged with crimes and there is no evidence that they left the state. A person is not a fugitive from justice merely because he or she has an outstanding civil traffic citation.

Delete 12h *Service in the Armed Forces* – Indicate if the applicant has served in the Armed Forces

Renumber 12i to 12h

Renumber 12j to 12i

#### **Section IV:**

Changed as follows:

Attach a current photo of yourself and write your name and UIN on the back of the photo.

You must provide one photo with your application. To avoid processing delays, we recommend you use a professional photo service. Your photo must be:

- In color
- Printed on matte or glossy quality paper
- 2 x 2 inches (51 x 51 mm) in size
- Sized such that the head is between 1 inch and 1 3/8 inches (between 25 and 35 mm) from the bottom of the chin to the top of the head
- Taken within the last 6 months to reflect your current appearance
- Taken in front of a plain white or off-white background
- Taken in full-face view directly facing the camera
- Taken with a neutral facial expression (preferred) or a natural smile, and both eyes open

While we recommend you use a professional passport service to ensure your photo meets all the requirements, you may take the photo yourself. Hand-held self portraits are not acceptable. Photos must not be digitally enhanced or altered to change your appearance in any way. If you take the photo yourself with a digital camera, the digital image must adhere to the following specifications:

**Dimensions:** The image dimensions must be in a square aspect ratio (the height must be equal to the width). Minimum acceptable dimensions are 600 x 600 pixels. Maximum acceptable dimensions are 1200 x 1200 pixels.

**Color:** The image must be in color in sRGB color space which is the common output for most digital cameras.

If you want to scan an existing photo, in addition to the digital image requirements, your photo must be:

- 2 x 2 inches (51 x 51 mm)

Scanned at a resolution of 300 pixels per inch (12 pixels per millimeter)

## **Section V:**

Changed to add the following:

### **Privacy Act Statement**

#### **Authority:**

Collection of this information is authorized under Public Law 107-188; 18 U.S.C. § 175b; 28 U.S.C. § 534; 28 CFR § 0.85; 7 CFR Part 331; 9 CFR Part 121; 42 CFR Part 73.

#### **Principal Purpose:**

The information collected on this form will be used for the principal purpose of conducting a security risk assessment to determine if you may possess, receive, access, use and/or transfer select agents and toxins. As part of this assessment, the collected information may also be used to assist in determining approval, denial, revocation or renewal of a certificate of registration issued by Department of Health and Human Services (HHS) or U.S. Department of Agriculture (USDA) for possession, use and transfer of select agents and toxins.

The FBI's acquisition, preservation, and exchange of fingerprints and associated information are generally authorized under 28 U.S.C. 534. The civil fingerprint records contained in Next Generation Identification (NGI) are only available to Department of Justice (DOJ) components when there is a need for the information in order to perform official duties, pursuant to 28 U.S.C. § 534 and 5 U.S.C. § 552a(b)(1). Civil fingerprint data within NGI will also be shared with federal, local, state, and tribal agencies as permitted by applicable Federal and State statutes, Federal and State executive orders, or regulation or order by the Attorney General. Information is shared with authorized noncriminal justice agencies and entities for employment suitability checks, permits, identity verification, and licensing in accordance with applicable laws, regulations and policies. Providing your fingerprints and associated information/biometrics is voluntary; however: failure to do so may affect completion or approval of your application.

Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's NGI system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

#### **Routine Uses:**

During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable

Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system, the FBI's Central Records System, and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, access clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

### **Social Security Account Number**

Your Social Security Account Number (SSAN) is requested under Public Law 107-188, 7 CFR Part 331, 9 CFR Part 121 and 42 CFR Part 73, which authorize the Attorney General to collect names and other identifying information in the security risk assessment process and to check criminal, immigration, national security and other electronic databases. Because other people may have the same name and birth date, your SSAN will be used to facilitate accurate identification and to help eliminate the possibility of misidentification of individuals for whom a security risk assessment or database check is being conducted. Completion of this form and provision of your SSAN is voluntary. However, failure to provide the requested information may delay or result in the denial of your security risk assessment.

### **PAPERWORK REDUCTION ACT NOTICE**

The information required on this form is in accordance with the Paper Work Reduction Act of 1995. The purpose of this information is to assist the FBI in national security risk assessments for entities and individuals having access to selected toxins as required by the Public Health Security and Bioterrorism Preparedness Response Act of 2002.

Section IV from old form renumbered to Section VI and modified to:

By signing, the applicant certifies that the questions in Section III are true, correct and complete. Also, the applicant's signature gives consent to the U.S. Department of Justice to complete the SRA. The printed name must be legible. The signature date must be current (occurring within the last 90 days). Digital and electronic signatures are not acceptable. The applicant is required to initial each page of the FD-961 at the bottom where indicated.

Section V from old form renumbered to Section VII and modified to:

By signing, the RO or ARO certifies that the completed FD-961 Form was reviewed for completeness, legibility, and that the certification questions have been reviewed and handled accordingly. Digital and electronic signatures are not acceptable. Please include an email address for requests for additional or incomplete information. The RO or ARO must also initial each page of the FD-961 at the bottom where indicated.

### **1The FD-961 Form Revisions:**

On the top header, change FD-961 Revision date of 04-01-2014 and replace with 10/19/2015. Replace the expiration date of 02-29-2016 with 2/28/2019.

Add the following in bold print before Section I:

For clarification on how to answer the questions see the FD-961 Instructions.

Section I block 1. Change question 1 as follows: Legal Name of Entity

Section I block 2. Change question 2 as follows: Entity Application Number (AGRXXXXXX or CDCXXXXXX)

Section I block 3. Change question 2 to question 3 as follows: Entity Address (Street, City, State, Zip Code).

Section II block 4. Question renumbered from question 3 to question 4.

Section II block 5a. Change question as follows: Last Name:

Section II block 5b. Change question as follows: First Name:

Section II block 5c. Change question as follows: Middle Name

Section II block 5d: Question renumbered from question 4a to question 5d and (Last, First, Middle) added.

Section II block 6. Question renumbered from question 5 to question 6.

Section II block 7. Question renumbered from question 6 to question 7.

Section II block 8. Question renumbered from question 7 to question 8.

Section II block 8a. Question renumbered from question 7a to question 8a and changed to read as follows: Have you lived in any other state other than the one listed in question 8 since the age of 18?

Section II block 8b. Question renumbered from question 7b to question 8b and changed to read as follows: If yes, list all previous states of residence.

Section II block 9. Question added, Home Phone Number(s):

Section II block 10. Question added, Cell Phone Number(s):

Section II block 11. Question added, List all email addresses.

Section II block 12. Question renumbered from question 8 to question 12.

Add the following after block 12 in bold: For clarification on ethnicity and race (questions 13 and 14) refer to the FD-961 Instruction.

Section II block 13. Renumbered from question 9 to question 13.

Section II block 14. Renumbered from question 9a to question 14. Check boxes moved from right side of categories to left side and the letters “a”, “b”, “c”, “d” and “e” were removed.

Section III – Add the following in bold after Certification Questions: NOTE: If you mark “yes” or “unsure for questions 12a-12i you must attach a statement and any supporting documentation to the FD-961 in order for the SRA to be processed.

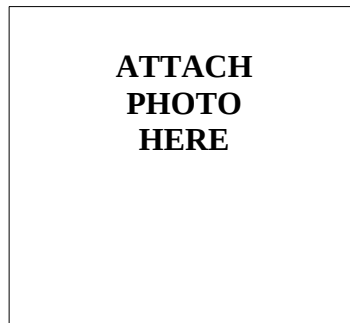
Section III block 12h: Delete question 12h: “Have you been discharged from the Armed Forces of the United States under dishonorable conditions?”

Renumber question 12i as question 12h.

Renumber question 12j as question 12i.

Section IV: Changed as follows:

**Attach a current photo of yourself and write your name and UIN on the back of the photo.**



You must provide one photo with your application. To avoid processing delays, we recommend you use a professional photo service. Your photo must be:

- In color
- Printed on matte or glossy quality paper
- 2 x 2 inches (51 x 51 mm) in size
- Sized such that the head is between 1 inch and 1 3/8 inches (between 25 and 35 mm) from the bottom of the chin to the top of the head
- Taken within the last 6 months to reflect your current appearance
- Taken in front of a plain white or off-white background
- Taken in full-face view directly facing the camera
- Taken with a neutral facial expression (preferred) or a natural smile, and both eyes open

While we recommend you use a professional passport service to ensure your photo meets all the requirements, you may take the photo yourself. Hand-held self portraits are not acceptable. Photos must not be digitally enhanced or altered to change your appearance in any way. If you

take the photo yourself with a digital camera, the digital image must adhere to the following specifications:

**Dimensions:** The image dimensions must be in a square aspect ratio (the height must be equal to the width).

Minimum acceptable dimensions are 600 x 600 pixels. Maximum acceptable dimensions are 1200 x 1200 pixels.

**Color:** The image must be in color in sRGB color space which is the common output for most digital cameras.

If you want to scan an existing photo, in addition to the digital image requirements, your photo must be:

- 2 x 2 inches (51 x 51 mm)
- Scanned at a resolution of 300 pixels per inch (12 pixels per millimeter)

**Section V: Add the following Privacy Act Statement:**

**Authority:**

Collection of this information is authorized under Public Law 107-188; 18 U.S.C. § 175b; 28 U.S.C. § 534; 28 CFR § 0.85; 7 CFR Part 331; 9 CFR Part 121; 42 CFR Part 73.

**Principal Purpose:**

The information collected on this form will be used for the principal purpose of conducting a security risk assessment to determine if you may possess, receive, access, use and/or transfer select agents and toxins. As part of this assessment, the collected information may also be used to assist in determining approval, denial, revocation or renewal of a certificate of registration issued by Department of Health and Human Services (HHS) or U.S. Department of Agriculture (USDA) for possession, use and transfer of select agents and toxins.

The FBI's acquisition, preservation, and exchange of fingerprints and associated information are generally authorized under 28 U.S.C. 534. The civil fingerprint records contained in Next Generation Identification (NGI) are only available to Department of Justice (DOJ) components when there is a need for the information in order to perform official duties, pursuant to 28 U.S.C. § 534 and 5 U.S.C. § 552a(b)(1). Civil fingerprint data within NGI will also be shared with federal, local, state, and tribal agencies as permitted by applicable Federal and State statutes, Federal and State executive orders, or regulation or order by the Attorney General. Information is shared with authorized noncriminal justice agencies and entities for employment suitability checks, permits, identity verification, and licensing in accordance with applicable laws, regulations and policies. Providing your fingerprints and associated information/biometrics is voluntary; however: failure to do so may affect completion or approval of your application.

Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's NGI system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:**

During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may

be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system, the FBI's Central Records System, and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, access clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

**Social Security Account Number:**

Your Social Security Account Number (SSAN) is requested under Public Law 107-188, 7 CFR Part 331, 9 CFR Part 121 and 42 CFR Part 73, which authorize the Attorney General to collect names and other identifying information in the security risk assessment process and to check criminal, immigration, national security and other electronic databases. Because other people may have the same name and birth date, your SSAN will be used to facilitate accurate identification and to help eliminate the possibility of misidentification of individuals for whom a security risk assessment or database check is being conducted. Completion of this form and provision of your SSAN is voluntary. However, failure to provide the requested information may delay or result in the denial of your security risk assessment.

**PAPERWORK REDUCTION ACT NOTICE**

The information required on this form is in accordance with the Paper Work Reduction Act of 1995. The purpose of this information is to assist the FBI in national security risk assessments for entities and individuals having access to selected toxins as required by the Public Health Security and Bioterrorism Preparedness Response Act of 2002.

Section IV is renumbered as Section VI.

Section VI paragraph 4 – remove the following from the last sentence: where such information reveals a risk to human, animal and/or plant health or national security in accordance with the U.S. Department of Agriculture and Department of Health and Human Services regulatory authority.

Add the following to the last paragraph: I consent to the dissemination of my information, as needed, in support of law enforcement and national security efforts to protect public health and safety more generally.

Section V is renumbered as Section VII.

At the bottom of each page (pages 1-6) the following is added:

Applicant's Initials \_\_\_\_\_, Page x of 6, and RO/ARO Initials \_\_\_\_\_.

2. Needs and Uses

The Bioterrorism Preparedness Act: Entity/Individual Information FD-961 forms are mandatory in order to receive a Bioterrorism Security Risk Assessment conducted by the CJIS Division. The CJIS Division is provided with completed FD-961 Information Forms which contain identifying information on the individual seeking access to the listed agents and toxins. The CJIS Division uses identification information submitted by each individual to complete SRAs on the following databases: III, the NCIC "hot files", the FBI Indices, the FTTTF Database, the ICE Databases, and the FBI's DVA Database. A "routine use" is being established to allow the CJIS

Division access to the DOD's dishonorable discharge data for Bioterrorism SRAs. The routine use is established per 42 CFR 73.10(e), 7 CFR 331.10(e), and 9 CFR 121.10(e).

The SRAs are completed and weekly letters are mailed to HHS and USDA as to whether certain individuals should be denied access to or granted limited access to specific agents.

### 3. Use of Information Technology

Currently, the FD-961 form is submitted both electronically and in hard copy to the CJIS Division. The FD-961 form is available online in a PDF format. The FD-961 form can be completed electronically online and can be emailed or mailed to the CJIS Division for processing. Applicants who are renewing their access can submit their FD-961 by email or by mail. New applicants must mail their FD-961 along with their fingerprint cards to CJIS. In fiscal year 2013 approximately 51% of all applicants were renewals.

The electronic possibility of submitting fingerprints to CJIS is still under consideration with the three agencies (CJIS Division, HHS and USDA) involved in the SRA process. The enhancement to allow for electronic submissions is currently being reviewed by CJIS now that the Next Generation IAFIS is fully operational, however, there are many enhancements that need to be done to allow for these submissions to be electronically delivered to CJIS.

The fingerprint cards cannot be submitted electronically at this time. The current process for submission of electronic fingerprints does not allow for the response to be returned to the BRAG, it will be returned to the submitting agency. Also, civil fingerprints cards are normally submitted with a retention code of do not retain, however, these fingerprints must be retained in our system in order to be flagged for notification of any new criminal history information. If the submitting agency were to transmit the fingerprints with the wrong retention or other information and the fingerprints were not retained properly in our system, the applicant would be required to return to the submitting agency and be fingerprinted again.

The applicant is required to submit both the FD-961 and the fingerprint cards in order to initiate the SRA. The FD-961 cannot be submitted electronically with the fingerprint cards because NGI will not accept this type of submission. Also the signature is required on the FD-961 because the individual is certifying that the information is correct and that false statements are a violation of federal law and may lead to criminal prosecution or other legal action. If there were ever any legal action we would need the signature to verify that the individual was the person who submitted the form. If the FD-961 and fingerprints were submitted separately this would require the BRAG to match up the fingerprints with the correct FD-961 which would require some sort of tracking number to ensure that the fingerprints were not matched up with the wrong FD-961 (especially for individuals with common names). Currently BRAG does not have the required staffing levels to support this effort.

### 4. Efforts to Identify Duplication

This information collection was authorized in direct response to enactment of Public Health and Bioterrorism Preparedness and Response Act of 2002, (Bioterrorism Act), Public Law 107-188.

The CJIS Division is the only agency collecting extensive data for SRAs. The information being collected is used for the sole purpose of conducting SRAs.

5. Minimizing Burden on Small Businesses

This information will have minimal effect on small entities.

6. Consequences of Not Conducting or Less Frequent Collection

If the FD-961 is not submitted the agencies and or individuals will not be in compliance with the Public Health and Bioterrorism Preparedness and Response Act of 2002, (Bioterrorism Act), Public Law 107-188 which has been congressionally mandated.

7. Special Circumstances

Currently all Bioterrorism SRA information is collected on dates not less than every three years. However individuals approved for an SRA prior to June 1, 2011 will still be good for a period of five years. The change from a five year renewal to a three year renewal was implemented on June 1, 2011.

On January 9, 2009, President George W. Bush signed Executive Order (EO) 13486 entitled “Strengthening Laboratory Biosecurity in the United States.” This EO established a Working Group (WG) co-chaired by the Secretary of Defense and the Secretary of Health and Human Services. The scope of the WG activities pertained to the policy of the United States that facilities that possess biological select agents and toxins have appropriate security and personnel assurance practices to protect against theft, misuse, or diversion to unlawful activity of such agents and toxins. The WG provided final recommendations through careful consideration of proposals from subgroups, and comments received from select agent entities and the public. The report is available at: <http://orise.orau.gov/emi/scapa/files/biosecurity-report.pdf> .

One of the recommendations to enhance security was to perform an SRA required by the Select Agent Regulations (7 CFR § 331.10, 9 CFR § 121.10, 42 CFR § 73.10) every three years for all individuals with access to select agents and toxins instead of the current policy of performing the SRA every five years. The Federal Select Agent Program concurs with this recommendation.

8. Public Comments and Consultations

This information collection has been overseen by a multi-agency forms steering committee. The final rule regarding possessing use transfer of specific toxins and agents was completed in March 2005. The 30 and 60 day notices were published and the FBI received no comments.

9. Provision of Payments or Gifts to Respondents

The Bioterrorism SRA program does not provide any payments or gifts to respondents.

10. Assurance of Confidentiality

All information will be held confidential in accordance with Title 42, U.S.C. Section 3789 (g). Information will be utilized by the BRAG for the sole purpose of conducting Bioterrorism SRAs in accordance with the Bioterrorism Act and the regulations promulgated thereunder.

#### 11. Justification for Sensitive Questions

The FD-961 Form does ask sensitive questions which are covered under the congressionally mandated Public Health and Bioterrorism Preparedness and Response Act of 2002, (Bioterrorism Act), Public Law 107-188.

The social security number (SSN) is optional for the individual. The SSN is requested on the form in order to conduct a thorough search of the databases. The SSN eliminates candidates who match the individual by name and descriptors which could delay the approval or possibly deny them access to select agents and toxins.

#### 12. Estimate of Respondent's Burden

We estimate the respondent's burden for this data collection as follows:

Number of respondents 4,635 (Fiscal Year 2015)

Frequency of respondents varies depending upon individual applicants but not less than every 5 years

Total annual responses 4,635 (Fiscal Year 2015)

Estimated minutes per response for completing the FD-961 and reading the instructions - 45 minutes

Estimated time to for travel to an agency to be fingerprinted – approximately 10 minutes (5 minutes each way)

Estimated time for being fingerprinted – 15 minutes

Estimated time for travel to obtain a photo – 10 minutes (5 minutes each way)

Estimated time spent obtaining the photograph – 10 minutes

Total estimated time burden for each individual – 1 hour and 30 minutes

Annual hour burden 6,953 hours

#### 13. Estimate of Cost Burden

Respondents will incur the cost of \$2.08 for postage fees to submit the FD-961 form and two completed fingerprint cards. It is estimated that the cost to the applicant to submit a photograph that meets criteria specified in the instructions pages based on national averages would be \$10. It is estimated that each applicant would travel approximately 3 miles one way and 6 miles round trip to a business to obtain their photo. This distance is estimated to take an amount of five (5) minutes each way for a total of 10 minutes round trip. Also, to determine the travel cost to the respondent, the Department is factoring in the General Services Administration (GSA) reimbursement rate of \$0.56 mile for privately owned automobiles (POA) use as of January 1, 2014. (

[http://www.gsa.gov/portal/content/100715?utm\\_source=OGP&utm\\_medium=print-radio&utm\\_term=mileage&utm\\_campaign=shortcuts](http://www.gsa.gov/portal/content/100715?utm_source=OGP&utm_medium=print-radio&utm_term=mileage&utm_campaign=shortcuts)). Therefore the cost to the respondent to travel this distance is estimated to be \$15,573.60.

[4,635 \(number of respondents\) x 6 \(miles\) x \\$0.56 \(amount per mile\) = \\$15,573.60.](#)

The total annual cost incurred by the FY2015 respondents is \$71,564.40 . , or \$15.44 per person. The fingerprint cards are furnished by the FBI at no cost to the individual. This is broken down as \$9,640.80 for the fingerprint cards, \$46,350.00 for the photo and \$15,573.60 for travel and mileage..

#### 14. Cost of Federal Government

The estimated average cost per security risk assessment is approximately \$181. The annual cost to the FBI (based solely on FY2013 respondents) is \$687,076.

#### 15. Reason for Change in Burden

Increase in the hour burden and cost burden is due to the change from a five year renewal to a three year renewal for the Security Risk Assessment.

#### 16. Anticipated Publication Plan and Schedule

This data collection does not publish any results.

#### 17. Display of Expiration Date

All information collected under this clearance will display the OMB Clearance Number. Any forms disseminated from the FBI's Bioterrorism Risk Assessment Program will include the OMB clearance number.

#### 18. Exception to the Certification Statement

The FBI's CJIS Division does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

The CJIS Division does not employ statistical methods when collecting this information.