

SUPPORTING STATEMENT – PART A

Department of the Navy

Law Enforcement Officers Safety Act (LEOSA) Credential Program

A. JUSTIFICATION

1. Need for the Information Collection

Department of the Navy and the U.S. Marine Corps are requesting Office of Management and Budget (OMB) approval of the information collection to verify and validate eligibility of separated and retired DON law enforcement officers to ship, transport, possess or receive Government-issued or private firearms or ammunition. This will also verify and validate eligibility of separated, and retired DON law enforcement officers to receive DON endorsed law enforcement credentials, to include Law Enforcement Officers Safety Act (LEOSA) credentials.

Authorities to collect the information:

10 U.S.C. 5013, Secretary of the Navy establishes the formulation of policies and programs by the Department of the Navy that are fully consistent with national security objectives and policies established by the President or the Secretary of Defense

18 U.S.C. 522a, Law Enforcement Officers Safety Act is a United States federal law, enacted in 2004, that allows two classes of persons - the "qualified law enforcement officer" and the "qualified retired or separated law enforcement officer" - to carry a concealed firearm in any jurisdiction in the United States or United States Territories, regardless of state or local laws, with certain exceptions.

10 U.S.C. 5041, Headquarters, Marine Corps states the function of the Headquarters, Marine Corps, is to assist the Secretary of the Navy in carrying out his responsibilities.

18 U.S.C. 922, Unlawful Acts states it is unlawful for any person except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or in the course of such business to ship, transport, or receive any firearm in interstate or foreign commerce;

18 U.S.C. 926B and 926C, Carrying of Concealed Firearms by qualified retired law enforcement officers authorizes an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce.

As used in this section, the term “qualified retired law enforcement officer” means an individual who **(1)** separated from service in good standing from service with a public agency as a law

enforcement officer; (2) before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest or apprehension under the applicable article of the Uniform Code of Military Justice.

E.O. 9397 (SSN), as amended authorizes any Federal department, establishment, or agency may, whenever the head thereof finds it advisable to establish a new system of permanent account numbers pertaining to individual persons, utilize the Social Security Act account numbers assigned pursuant to title 20, section 422.103 of the Code of Federal Regulations and pursuant to paragraph 2 of this order.

2. Use of the Information

The information collected will be used to verify and validate eligibility of separated and retired DoN law enforcement officers to ship, transport, possess or receive Government-issued or private firearms or ammunition.

Additionally, the information will be used to verify and validate eligibility of separated, and retired DoN Law enforcement officers to receive DoN endorsed law enforcement credentials, to include LEOSA credentials through the following application process.

Navy application process:

The Public Affairs Office will publish a communication plan to announce the implementation and issuance of the LEOSA credentials. The plan will include use of email, an announcement placed in the Plan of the Week (POW) as well as entries posted on the Commander Navy Installations Command (CNIC) public website. The applicant goes to the website; <http://www.leosaonline.com> to start the application process, which is not owned by Navy. The applicant clicks the service branch icon, and selects Navy, and at the bottom of last page clicks "APPLY NOW." The website contains detailed instructions on how to apply for the credentials. The applicant downloads the application from the website. The applicant completes the form and prints it out. Supporting documentation is also required and must be notarized to verify its authenticity. The applicant must also request an FBI Criminal History Summary as part of the application packet at their own expense. Once the application is complete and all supporting documentation is notarized and attached to the application, the applicant must mail the completed package to the servicing contractor at their own expense. The application must include the fee of \$165 for the credentials. The applicant is required to render payment through the website. All associated costs are listed on the website and must be paid to the servicing contractor when submitting the application. Upon receipt of the application, the servicing contractor conducts an initial review of the application package to verify documentation and qualifications. The documents are scanned, and transmitted by the servicing contractor via a secure .mil to .mil connected website to Headquarters, CNIC, N3 Anti-Terrorism (AT) inbox with a recommendation to approve or disapprove the application. Headquarters, CNIC N3AT reviews the packet to determine the final qualification. The determination is transmitted

via email back to servicing contractor to issue the credentials of approved applicants. All applicants are notified of e approval/disapproval of their application via email and regular mail. The servicing contractor creates the credential specifically for the qualified applicant and mails it directly to the address by the applicant provided during the application process. Headquarters, CNIC N3 AT maintains a record of all applications and qualification documentation, approved or disapproved, in accordance with applicable published federal records management guidance.

Marine Corps application process:

The Public Affairs Office will publish a communication plan to announce the implementation and issuance of the LEOSA credentials. The plan will include use of email, an announcement placed in the Plan of the Week (POW) as well as entries posted on the www.marines.mil public website. The applicant will go to the website; www.usmcleosa.com and clicks on the “926C” button on the home page. The website will go through detailed instructions on the application process and will take them to the Contact Form to request access to the encrypted email account. The applicant fills out the contact form to include their email address, and clicks on “Send email.” The Headquarters Marine Corps (HQMC) LEOSA Program Manager (PM) receives an email notification of the applicant’s request and adds their email to the encrypted email correspondence specifically for 926C applicants. The HQMC LEOSA PM will send instructions on required documentation and the LEOSA application via email from the encrypted inbox to the applicant. The applicant will complete the application and submit it through the encrypted email connection. The applicant will request an FBI History Summary and request the document be sent directly to the HQMC LEOSA PM. The applicant will email a copy of their DD214/SF50, proof of weapon qualification, a copy of a state issued ID, a photograph following standard US passport requirements and a copy of their signature. The HQMC LEOSA PM will review all submitted documents and upload these to Data Housing and Reports Tool (DHART) and the SharePoint site in designated folders tracking all applicants. Once all documentation is received and reviewed, the HQMC LEOSA PM will complete the HQMC 926C Application Summary and submit the applicant’s package via SharePoint to the Authorizing Official/Branch Head. If approved, the Authorizing Official will digitally sign the Summary form and notify the HQMC LEOSA PM. The HQMC LEOSA PM will assign the individual the serialized 926C cardstock in DHART and create the ID and deliver to HQMC for authorization. Once authorized, the HQMC LEOSA PM will ship the 926C ID to the applicant requiring a signature for deliver. All 926C application packages will be maintained by the HQMC LEOSA PM on SharePoint and DHART.

3. Use of Information Technology

None of the responses collected by the Navy will be done electronically. The information contained in the supporting documents must be notarized, the notary seal must be physically and visually identified by the approval authority.

The Marine Corps has developed a secure inbox for receiving and responding to email inquiries from applicants through the Marine Corps LEOSA website therefore, all of their responses are all collected through the secure email and tranfered over to DHART in order to track all LEOSA credentials that have been issued as required by DoDI 5525.12. No information or PII is processed or stored on the website. The responses that are collected electronically for the USMC is 50% (11% of overall total) as a result of the system they developed. The Navy will not have any responses collected electronically.

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 Business

No respondents are small businesses or small entities.

6. Less Frequent Collection

The frequency of the information collected is based on the number of individuals who qualify and apply for the credentials. Therefore, it collected only if an individual wants to apply.

7. Paperwork Reduction Act Guidelines

There are no special circumstances that require the 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 Friday, May 26, 2017 The 60-Day FRN citation is 82 FRN 24326.

Part B: Consultation: No additional consultation apart from soliciting public comments through the 60-Day Federal Register Notice was conducted for this submission.

One comment was received during the comment period that the Federal Register determined to be spam and not relevant to the collection.

A 30- Day Federal Register Notice for the collection published on Thursday, August 03, 2017 The 30-Day FRN citation is 82 FRN 36130.

9. Gifts or Payment

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

10. Confidentiality

A Privacy Act Statement and agency disclosure noticed is displayed at the top of the application form and website.

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

A draft copy of the SORN, NM05580-2, Law Enforcement Officer Safety Act (LEOSA) Eligibility and Credential Records, has been provided with this package for OMB's review.

RETENTION AND DISPOSAL:

Application packages for Retired/Separated Navy and Marine Corps law enforcement officer 926C LEOSA Credentials:

1. Completed Navy and Marine Corps LEOSA application form.
Destroy 2 years after issuance of law enforcement credentials.
2. Completed Privacy Act Statement.
Destroy 2 years after issuance of law enforcement credentials.
3. Copy of applicant's DD-214 (member copy 4) for Navy and Marine Corps or SF-50 proof of employment for civilian police officers.
Destroy 2 years after issuance of law enforcement credentials.
4. Passport type photograph as defined by the Department of State for all U.S. passports.
Destroy 2 years after issuance of law enforcement credentials.
5. Copy of retired military identification card, state driver's license or state issued identification card.
Destroy 2 years after issuance of law enforcement credentials.
6. Copy of a current, within previous 12 months, Federal Bureau of Investigation (FBI) Identity History Summary.
Destroy 2 years after issuance of law enforcement credentials.
7. DD Form 2760, Qualification to Possess Firearms or Ammunition pertaining to retired/separated Navy and Marine Corps law enforcement officers.
 - a. PERMANENT. Transfer to the National Archives 2 years after issuance of law enforcement credentials.
 - b. Destroy paper/electronic copies upon receipt of acceptance.
2. LEOSA 926C Certification of Eligibility
 - a. PERMANENT. Transfer to the National Archives 2 years after issuance of law enforcement credentials.
 - b. Destroy paper/electronic copies upon receipt of acceptance.

Collection forms, paper and/or plastic badges/passes are shredded or incinerated using the DoD approved procedures. If any IT system or data storage media fails and must be replaced, the data storage component (e.g., disks/hard drives) is removed from the hardware and degaussed with a DoD approved degaussing systems and are then mechanically shredded prior to disposal.

11. Sensitive Questions

Social Security Numbers (SSNs) are being collected. An SSN justification memo has been provided with this package for OMB's review.

12. Respondent Burden, and its Labor Costs

a. Estimation of Respondent Burden

1. DoN Law Enforcement Officers Safety Act (LEOSA) Credential Application

- a. Number of Respondents: 900
- b. Number of Responses Per Respondent: 1 per
- c. Number of Total Annual Responses: 900 = (700 Navy, 200 USMC)
- d. Response Time: 2 hours (this includes the time required to get documents notarized for verification)
- e. Respondent Burden Hours: 1800 Hours

2. Total Submission Burden

- a. Total Number of Respondents: 900
- b. Total Number of Annual Responses: 900 = (700 Navy, 200 USMC)
- c. Total Respondent Burden Hours: 1800

b. Labor Cost of Respondent Burden

1. DoN Law Enforcement Officers Safety Act (LEOSA) Credential Application

- a. Number of Total Annual Responses: 900 = (700 Navy, 200 USMC)
- b. Response Time: 2 hours
- c. Respondent Hourly Wage: 23.56
- d. Labor Burden per Response: \$47.12
- e. Total Labor Burden: \$42,404

2. Overall Labor Burden

- a. Total Number of Annual Responses: 900
- b. Total Labor Burden: 42,404

The Respondent hourly wage was determined by using the Department of Labor Wage Website by using the 2015 average volunteer hourly rate of \$23.56 per hour, according to Independent Sector www.independentsector.org.

13. Respondent Costs Other Than Burden Hour Costs

Additional costs are as follows:

- \$5 Postage for mailing packets for Navy applicants (700): \$3500
- \$165 Application Fee for Navy applicants (700): : \$115,500

- \$50 FBI Criminal History Check (900 ,all applicants): \$45,000

- The total cost for respondents are \$164,000

14. Cost to the Federal Government

a. Labor Cost to the Federal Government

Marine Corps:

- a. Number of Total Annual Responses: 200
- b. Processing Time per Response: 1 hour
- c. Hourly Wage of Worker(s) Processing Responses: \$25.00
- d. Cost to Process Responses: \$25
- e. Total cost to Process Responses: 5000

Navy:

- a. Number of Total Annual Responses: 700
- b. Processing Time per Response: 1 Hour
- c. Hourly Wage of Worker(s) Processing Responses: \$42.08
- d. Cost to Process Responses \$42.05
- e. Total cost to Process Responses:\$29,456

2. Overall Labor Burden to Federal Government

- a. Total Number of Annual Responses: 900
- b. Total Labor Burden \$34,456

Note: The hourly wage of Federal Civilian worker(s) for Navy and Marine Corp is derived by using the 2016 GS Pay Scale according to the Office of Personnel Management at the following

link: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2016/general-schedule/>

b. Operational and Maintenance Costs

- a. Equipment: \$48,250 (laptop- \$1,100; printer- \$150; hard drive- \$80; camera- \$100; includes all 25 equipment locations)
- b. Printing: \$24,000 (includes cardstock and ink)
- c. Postage: \$3,500 (\$5 certified mail; per 900)
- d. Software Purchases: \$5,000 (includes all 25 equipment locations)
- e. Licensing Costs: \$80,500 (includes all 25 equipment locations)
- f. Other: \$600 (encrypted email and website host costs)
- g. Total: \$161,850

- 1. Total Operational and Maintenance Costs: \$161,850
- 2. Total Labor Cost to the Federal Government: \$34,456
- 3. Total Cost to the Federal Government: \$196,306

15. Reasons for Change in Burden

This is a new collection with a new associated burden. However, after further review of the validation required prior to packet submission, the estimated burden hours increased to 120 minutes total from the original estimate of 30 minutes listed on the 60 day notice. This includes the printing and mailing of all validated documentation.

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.