

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
OMB 1140-0105
Request for ATF Background Investigation Information - ATF Form 8620.65

SUPPORTING STATEMENT

A. JUSTIFICATION

1. Necessity of Information Collection

Pursuant to a Memorandum of Understanding between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Office of Personnel Management (OPM), ATF is authorized to conduct security and suitability background investigations on applicants for, or appointees of, positions within the competitive service. In accordance with Executive Order 13764, ATF has the authority to conduct background investigations on persons entering employment of, or employed by the Government, other than in the competitive service (including, but not limited to, contractors). In this capacity, ATF serves as an investigative service provider and, therefore, has a repository of background investigation records.

ATF collects and disseminates background investigation records in accordance with Internal Security Record System-Justice/ATF-006 and is subject to all of the published routine uses of that system of records. ATF background investigation records may be disclosed to other Federal government agencies in connection with hiring or continued employment of an employee or contractor. ATF may also release background investigation records to state or local agencies (including the District of Columbia), when the requesting agency is seeking to staff a law enforcement officer position.

ATF receives requests for background investigation records from other Federal, state, and local agency representatives via the following mediums: agency letterhead, in-person office visits, OPM Portal inquiries, Justice Security Tracking and Adjudication Record System (JSTARS) inquiries, telephone calls, fax, and email. When a request is received other than through the OPM portal or JSTARS, ATF will provide a copy of the Request for ATF Background Investigation Information - ATF Form 8620.65, to the agency representative and request that the representative complete the form.

2. Needs and Uses

The information from the ATF Form 8620.65 is collected and maintained by ATF's Office of Professional Responsibility and Security Operations, Personnel Security Division (PSD) and used as an official request for the initiation of a

background investigation record. By maintaining evidence of an agency's request for a background investigation record, ATF ensures that proper disclosure requirements are met. This documented request assists ATF in ensuring that unauthorized disclosures of information do not occur, and establishes uniformity in disclosure procedures.

3. Use of Information Technology

ATF makes every effort to take advantage of the electronic collection and dissemination capabilities available. This fillable form is available on the ATF portal for download and submission by PSD personnel, to the requesting agency representative for completion. An agency representative may submit the completed, signed, and dated form to ATF by scanning and emailing it to a specific ATF email address. Individuals with disabilities can also access, complete and submit this form.

4. Efforts to Identify Duplication

ATF uses a uniform subject classification system 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. Minimizing Burden on Small Businesses

This information collection has no effect on small businesses. The information sought is in response to an initial request received from another Federal, state or local agency. The purpose of creating a record is to document the other agency's official request for ATF background investigation information. This information collection is also used by ATF to make an authorized disclosure of information determination and streamline the request process.

6. Consequences of Not Conducting or Less Frequent Collection

The consequences of not conducting this information collection results in ATF delays in providing other Federal, state and local agencies with their requested information. Delays in processing requests occur when insufficient information (i.e. reason for requesting the information, authorized agency representative, preferred method of delivery of information), is received from originating agencies. With insufficient data, ATF would be unable to make a timely authorized disclosure determination, based on the available information.

7. Special Circumstances

This information collection requirement is consistent with the intent of Executive Order 13764. The information sought is necessary to allow ATF to make authorized disclosure determinations of background investigation records based on the type of agency requesting the information and the reason for the request.

There are no circumstances that would cause this IC to be conducted in a different manner:

- Requiring respondents to report information to ATF more than quarterly;
- Requiring respondents to prepare a written response in fewer than 30 days;
- Requiring respondents to submit more than an original of any document;
- Requiring respondents to retain any records;
- Requiring the use of any statistical data;
- Requiring any pledge of confidentiality; or
- Requiring respondents to submit any proprietary or trade secrets.

8. Public Comments and Consultations

No comments were received during the 60-day Federal Register Notice period. However, a 30-day notice will be published in the Federal Register to solicit public comments.

9. Provision of Payments or Gifts to Respondents

No decision of payment or gift is associated with this collection.

10. Assurance of Confidentiality

Confidentiality is not assured. The respondent's completed ATF Form 8620.65 is kept in a secure location at ATF Headquarters within the PSD. The information on the completed ATF Form 8620.65 becomes a part of the permanent personnel security record of the subject, is included in the Internal Security Record System – Justice/ATF-006 (68 FR 3555-6), and is liable to all of the published routine uses of the system of records.

Information collected by the PSD is protected by the Privacy Act of 1974 and should not be released to outside parties who do not have a need to know under the routine use clause of the Privacy Act of 1974.

11. Justification for Sensitive Questions

Respondents (i.e. other Federal, state and local agencies) are required to provide personal identifying information, including the full name and the last four digits of the social security number on ATF Form 8620.65. This collection of information is necessary to positively identify an individual. Respondents must also use ATF Form 8620.65 to provide the requesting agency information, reason for the request, agency point of contact, and preferred method for forwarding the copies of the requested information. This information collection acts as an official record from which an authorized disclosure determination can be made, and facilitates ATF's expeditious response to the request for the background investigation information.

12. Estimate of Respondent's Burden

It is anticipated that 300 respondents will complete this form annually. Each respondent will complete one form for every request for background investigation information made on individuals. It is estimated that it takes 5 minutes to complete the form. The total number of annual burden hours associated with this collection is 25 hours.

13. Estimate of Cost Burden

There is no new cost associated with this information collection since all requests are electronically submitted.

14. Cost to Federal Government

There is no cost to the Federal Government.

15. Reason for Change in Burden

There are no program changes or adjustments associated with this collection.

16. Anticipated Publication Plan and Schedule

ATF will not publish this information collection.

17. Display of Expiration Date

ATF is not requesting approval to omit the expiration date for this information collection.

18. Exception to the Certification Statement

There are no exceptions to the Certification Statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

None