

SUPPORTING STATEMENT
Court Order Requirements, NA Form 13027
OMB Control No. 3095-0038

1. **Circumstances Making the Collection of Information Necessary.** In accordance with rules issued by the Office of Personnel Management (OPM), the National Personnel Records Center (NPRC) of the National Archives and Records Administration (NARA) administers Official Personnel Folders (OPF) and Employee Medical Folders (EMF) of former Federal civilian employees. In accordance with rules issued by the Department of Defense (DOD) and Department of Homeland Security (DHS, U.S. Coast Guard) the NPRC also administers military service records of veterans after discharge, retirement, and death, and the medical records of these veterans, and dependents of Armed Forces personnel. The NA Form 13027, Court Order Requirements, is used to advise requesters of (1) the correct procedures to follow when requesting certified copies of records for use in civil litigation or criminal actions in courts of law and (2) the information to be provided so that records may be identified. The authority for this information collection is prescribed by 36 CFR 1228.164.
2. **Purpose and Use of the Information.** Although the civilian and military personnel and medical records described above are in NPRC's physical custody, legal custody of the records remains with the Office of Personnel Management, the Department of Defense, the Department of Homeland Security, or the creating agency. Handling of requests for information from the records must conform to the legal requirements of the Freedom of Information Act (FOIA), the Privacy Act, and the regulations of OPM, DOD, and DHS. Authority for the requirements set forth in the form is also contained in 5 U.S.C. 552a(b)(11), as interpreted by Doe vs. DiGenova, 779 F.2d 74 (D.C. Cir. 1985), and Stiles vs. Atlanta Gas and Light Company, 453 F. Supp. 798 (N.D. Ga 1978). NPRC uses information submitted in response to the requirements contained in NA Form 13027 to identify the records needed and to determine whether the records can be released.
3. **Use of Information Technology and Burden Reduction.** Use of improved information technology would have no effect on the burden. The collected information is the minimum information needed to allow NPRC to locate the record and provide the requested information. The same information would have to be collected as part of any information technology system intended to automate the request process. The number of transactions in this information collection is below the threshold for GPEA.
4. **Efforts to Identify Duplication and Use of Similar Information.** There is no duplication of this information.
5. **Impact on Small Businesses or Other Small Entities.** The collection of information does not have a significant impact on small businesses.
6. **Consequences of Collecting the Information Less Frequently.** The frequency of response is on occasion.
7. **Special Circumstances Relating to the Guidelines of 5 CFR 1320.5.** The information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

8. **Comments in Response to the Federal Register Notice and Efforts to Consult Outside Agency.**

No formal consultations have taken place. NARA published a notice in the *Federal Register* on September 23, 2005 (70 FR 55925 and 55926) requesting public comment. __ comments were received. A second notice will be published in the *Federal Register* when this information collection is submitted to OMB for clearance.

9. **Explanation of Any Payment or Gift to Respondents.** This information collection involves no remuneration to respondents.

10. **Assurance of Confidentiality Provided to Respondents.** There is no assurance of confidentiality provided to respondents.

11. **Justification for Sensitive Questions.** Respondents are asked no questions of a sensitive nature.

12. **Estimates of Hour Burden Including Annualized Hourly Costs.** The hour burden for all individual respondents is as follows:

<i>Form of Request from Respondents</i>	<i>Number of Respondents</i>	<i>Responses per Respondent</i>	<i>Minutes per Response</i>	<i>Annual Hour Burden</i>
NA Form 13027	5,000	1	15	1,250

NPRC developed the respondent data by observing the percentage of NA Forms 13027 sent by NPRC to requesters for response.

13. **Estimate of Other Total Annual Cost Burden to Respondents or Recordkeepers.** The estimated annualized cost for each individual respondent is \$1.67. The total estimated annualized respondent cost is \$8,350. The cost of a respondent’s time is established at the minimum wage rate of \$5.15 per hour. The remainder of each respondent cost consists of costs for envelopes (\$.01) and postage (\$.37).

<i>Form of Request from Respondents</i>	<i>Number of Respondents</i>	<i>Minutes per Response</i>	<i>Respondent Cost</i>	<i>Annualized Cost for Hour Burden</i>
NA Form 13027	5,000	15	\$1.67	\$8,350

14. **Annualized Cost to the Federal Government.** The total estimated annualized cost to NARA is \$110. This cost consists of the estimated annualized costs printing (desktop) NA Form 13027. However, no cost is assigned to the staff time required to perform core functions at NPRC, including: responding to letter and forms requests that contain sufficient information; and reviewing and preparing the responses for mailing.

15. **Explanation for Program Changes or Adjustments.** There is no change to the previous annual hour or cost burdens, however, there is a decrease of approximately 35% from the previous

annualized cost to the Federal Government. This decrease is attributed to the use of desktop printing versus the use of a printing contractor, such as, Defense Automated Printing Services (DAPS).

16. **Plans for Tabulation and Publication and Project Time Schedule.** The information collection is not used for statistical studies or publications.
17. **Reason(s) Display of OMB Expiration Date is Inappropriate.** The expiration date of the OMB approval will be displayed on the form.
18. **Exceptions to Certification for Paperwork Reduction Act Submissions.** NARA is not requesting any exceptions to the certification statement identified in Item 19, “Certification for Paperwork Reduction Submissions,” of the OMB Form 83-I.