

TO: Brenda Dyer, Deputy Clearance Officer, PRA  
Information Management and Security Staff  
Justice Management Division

THROUGH: Michael Scott Donley  
Contract Manager  
Office of the Chief Information Officer

FROM: Harri j Kramer, Deputy Director  
Planning Office  
Bureau of Justice Assistance

Maria A. Pressley, Special Projects Manager  
Planning Office

DATE: December 10, 2004

SUBJECT: Office of Justice Programs Information Collection for Approval by the  
Office of Management and Budget.

Attached, please find an Information Collection Request (ICR) for the Bureau of Justice Assistance's *State Criminal Alien Assistance Program (SCAAP)*.

This serves as a request to reinstate an annual collection with change.

The following required documents are included:

1. OMB Form 83-1: Paperwork Reduction Act Submission
2. Certification Statement
3. Public Reporting Burden
3. Supporting Statement for Paperwork Reduction Act Submission
4. 30-day ICR notice that will be published in the Federal Register
5. 60-day ICR notice that will be published in the Federal Register
6. Grants Management System (Internet based) screens used to collect the information, with Paperwork Reduction Act Notice
7. Laws or authority mandating the information collection
8. BJA SCAAP Inmate Data Vetting Results

Questions concerning this ICR can be directed to, Maria A. Pressley, Special Projects Manager at 202-616-6500 or by e-mail at [Maria.Pressley@usdoj.gov](mailto:Maria.Pressley@usdoj.gov).

Thank you.

**PAPERWORK REDUCTION ACT CERTIFICATION STATEMENT**

In submitting this request for Office of Management and Budget (OMB) approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with, including paperwork regulations, statistical standards or directives, and any other informational policy directives promulgated under the Paperwork Reduction Act of 1995.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: Harri j Kramer

Title: Deputy Director

**Public Reporting Burden:** *State Criminal Alien Assistance Program.*

**Paperwork Reduction Act Notice.** Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated time to complete and file this application is 30 minutes per application. If you have comments regard the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Planning Office, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, at 810 7<sup>th</sup> Street, NW, Room 8340, Washington, D.C., 20531.

## SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

### A. JUSTIFICATION

**1. Necessity of Information:** In response to the Violent Crime Control and Law Enforcement Act of 1994 Section 130002(b) as amended in 1996, BJA administers the State Criminal Alien Assistance Program (SCAAP) with the Bureau of Immigration and Customs Enforcement (ICE), and the Department of Homeland Security (DHS). SCAAP provides federal payments to States and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the designated reporting period.

SCAAP is governed by Section 242 of the Immigration and Nationality Act, 8 U.S.C. § 1231(i), as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

This is an annual collection that is on going.

**2. Purpose for Use:** This application form will be completed and submitted by each eligible state, local or tribal agency that chooses to apply, based on having incurred costs related to detaining certain categories of undocumented criminal aliens and the costs associated with the housing said aliens covered by the SCAAP law. BJA will use the information to determine and document eligibility.

**3. Use of Information Technology:** The application process is managed through the Internet, using Office of Justice Programs' electronic application system entitled the Grants Management System (GMS). Prospective applicants can apply using this electronic paper less system.

**4. Identification of Duplication:** The information collected is specific to SCAAP as administered by BJA.

**5. Impact on Small Businesses or Other Entities:** This information is to be collected only from state, local and tribal governmental agencies that have responsibility for the incarceration of criminal offenders and those accused of crimes. There is no impact on small businesses or other entities as they are not are eligible to apply.

**6. Consequences if Collection is not Conducted:** If information is not collected, BJA will not be able to determine eligibility, document applications, show disbursement of funds, demonstrate how appropriated funds were spent, nor demonstrate compliance with imposed Act.

**7. Special Circumstances:** There are no special circumstances that would require the applicant to provide information under any of the described methods.

**8. Publication:** This information will be published as an aggregate of BJA's total funding of programs. Specific information regarding which state, local and tribal government agencies applied and received funds is public information. This is posted on the BJA website.

**9. Payment to Respondents:** There are no payments or gifts provided to the respondents.

**10. Assurance of Confidentiality:** No personal identifying information is requested.

**11. Questions of a Sensitive Nature:** No sensitive questions are asked of the respondents.

**12. Estimates of the Hour Burden:** There were 748 respondents responding to the questions in 2004. The application process takes approximately 60 minutes to gather all the required information and 30 minutes to complete the form. Actual preparation time is dependent on size of the jurisdiction, the number of correctional officers, and the number of inmate records.

$748 \times 90 \text{ minutes} = 67,320/60 = 1122 \text{ burden hours}$

**13. Estimate of the Total Annual Cost Burden:** There is no cost to the respondents.

**14. Estimates of Annualized Cost to the Federal Government:** The estimated annualized cost of the Federal government for a GS-0301-13 to review, compile, and process the 748 forms at 20 minutes per form is projected as follows;

$748 \text{ responses} \times 20 \text{ minutes} = 14,960 \text{ minutes} / 60 \text{ minutes per hour} = 249 \text{ hours}$

$249 \times \$ 53.00 \text{ per hour (Average annual salary of 82k plus 35\% fringe benefit rate)} = \$13,197$

**15. Program Changes or Adjustments:** Reinstatement, with change, of a previously approved collection.

**16. Publishing Information:** There are no plans to publish a report of this information.

**17. Approval for not Displaying OMB Approval:** No approval is requested.

**18. Certification Statement for Paperwork Reduction Act Submission:**  
See Attached Certification Statement.

## **B. STATISTICAL METHODS**

Statistical methods will not be used in this information collection.

Department of Justice

Billing Code: 4410-18

Office of Justice Programs

Agency Information Collection Activities:

Proposed collection; comments requested

ACTION: 30-Day Notice of Information Collection Under Review:

Bureau of Justice Assistance Application Form: State Criminal Alien Assistance Program

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The Department of Justice (DOJ), Office of Justice Programs (OJP) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the Federal Register [ Volume nn, Number nnn, page nnnnn on month, day, year,] allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until [The Federal Register will insert the date 30 days from the date this notice is published in the Federal Register]. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to The Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC., 20503. Additionally, comments may be submitted to OMB via facsimile to (202) 395-5806. Written comments and suggestions from the public

and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection



- (1) Type of Information Collection: Reinstatement, without change, of a previously approved collection for which approval has expired.
- (2) Title of the Form/Collection: Certification of Compliance with the Statutory Eligibility Requirements for Tribal Governments.
- (3) Agency form number, if any, and the applicable component of the Department sponsoring the collection: None.
- (4) Affected public who will be as or required to respond, as well as a brief abstract:  
  
Primary: State, local and tribal government agencies within the United States and its territories.  
  
Abstract: BJA administers the State Criminal Alien Assistance Program (SCAAP) with the Bureau of Immigration and Customs Enforcement (ICE), and the Department of Homeland Security (DHS). SCAAP provides federal payments to States and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the designated reporting period.

SCAAP is governed by Section 242 of the Immigration and Nationality Act, 8 U.S.C. § 1231(i), as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

- (5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply: It is estimated that it will take the 748 applicants under SCAAP approximately 90 minutes to complete the application form.
- (6) An estimate of the total public burden (in hours) associated with the collection:  
The total estimated annual hour burden to complete the certification form is 1122 hours.

If additional information is required contact: Brenda E. Dyer, Deputy Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW, Washington, DC 20530.

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Brenda E. Dyer  
Department Deputy Clearance Officer, PRA  
Department of Justice

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Date

Department of Justice

Billing

Code 4410-18

Office of Justice Programs

Agency Information Collection Activities:

Proposed collection; comments requested:

ACTION: 60-Day Notice of Information Collection Under Review:

Bureau of Justice Assistance Application Form: State Criminal Alien Assistance Program

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The Department of Justice (DOJ), Office of Justice Programs (OJP), has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for “sixty days” until [The Federal Register will insert the date 60 days from the date this notice is published in the Federal Register]. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Maria A. Pressley at 202-353-8643, Bureau of Justice Assistance, Office of Justice Programs, U. S. Department of Justice, 810 Seventh Street, NW., Washington, DC., 20531.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

- (1) Type of Information Collection: Extension of a currently approved collection.
- (2) Title of the Form/Collection: Bureau of Justice Assistance Application Form: State Criminal Alien Assistance Program (SCAAP).
- (3) Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Number: None.
- (4) Affected public who will be asked or required to respond, as well as a brief Abstract: Primary: State, local and tribal government agencies within the United States and its territories.  
  
Abstract: BJA administers the State Criminal Alien Assistance Program (SCAAP) with the Bureau of Immigration and Customs Enforcement(ICE), and the Department of Homeland Security (DHS). SCAAP provides federal payments to States and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the designated

reporting period.

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- (5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply: It is estimated that it will take the 748 applicants under SCAAP approximately 90 minutes to complete the application form.
  
- (6) An estimate of the total public burden (in hours) associated with the collection: The total estimated annual hour burden to complete the certification form is 1122 hours.

If additional information is required contact: Brenda E. Dyer, Deputy Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW, Washington, DC., 20530.

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Brenda E. Dyer

Department Deputy Clearance Officer, PRA

Department of Justice

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Date

Bureau of Justice Assistance  
State Criminal Alien Assistance Program  
Due Diligence

Submitted to Justice Management Division

July, 2004