

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT EMERGENCY SUBMISSION
Human Rights Violators List
1405-xxxx, DS-5090e**

A. JUSTIFICATION

1. The President has asked the interagency community to use the temporary transfer of power from Fidel Castro to his brother Raul Castro in August 2006 as an historic opportunity to work with the Cuban people to hasten a democratic transition in Cuba. Human Rights is a bedrock of USG policy towards Cuba. In keeping with the recommendations of the Commission for Assistance to a Free Cuba report, the State Department will seek information from the public about human rights abuses committed by Cuban authorities, including the military and members of the security forces. Compiling this information is designed to send a message to the Cuban government authorities, including the military and the security forces, that they should not participate in the repression of Cuban citizens.
2. The information is sought in accordance with, inter alia, 22 U.S.C. 2656 and 2304(a)(1). The principal purpose for collecting the information is to prepare and maintain a database of human rights abusers in Cuba. The Department may use this information in connection with its responsibilities for the protection and promotion of human rights and for the conduct of foreign affairs, as well as for other appropriate purposes as a routine part of the Department's activities. The Leahy amendment prohibits a foreign security force unit from receiving US Government assistance under certain U.S. laws if the Secretary of State has credible evidence that such unit has committed gross violations of human rights. Information that would be relevant to application of the Leahy Amendment may be uploaded into the DRL-maintained ACES database. The information will not be available to the public. Appropriate measures will be taken to assess the credibility of the information obtained.
3. Links to the electronic report form of the Human Rights Violators List will be available on various websites. Responses will be submitted electronically as the most efficient means of collecting and processing the data.
4. Since such information will be collected primarily from victims of human rights violations, it is not generally duplicative of information collected from other collection instruments. Data collected will be used primarily by the Department of State's Bureau of Western Hemisphere Affairs and Bureau of Democracy, Human Rights and Labor.
5. This collection of information does not impact small businesses or other small entities.
6. Not collecting this information would permit violators of human rights in Cuba to go unidentified and, secure in their feeling of anonymity, serve to encourage them to continue violating the human rights of Cuban citizens.
7. There are no circumstances that would require the information to be collected in the manner described.
8. A notice will be published in the *Federal Register* in accordance with 5 CFR 1320.13.
9. The Department does not make any type or form of payment to the respondent.

10. A Privacy Act Notification Waiver will be incorporated into the electronic reporting document.
11. The form does not directly request information of a sensitive nature. However, because this electronic form is intended to give victims of human rights violations the opportunity to, among other things, describe such violations and make the identity of the perpetrators known to USG officials, sensitive information may be reported.
12. The following data was used in the preparation of the hour burden for the collection of the information required by the form.
 - a. Number of Respondents: 7,300
 - b. Number of Responses: 7,300
 - c. Frequency of Response: On occasion.
 - d. Estimated form completion time: 15 minutes
 - d. Annual hour burden: 1,825
13. There are no costs to respondents associated with this collection .
14. Total cost to the Federal Government is \$0.
15. This is a new collection of information.
16. The information collected will not be published or routinely tabulated.
17. WHA will display the expiration date for OMB approval.
18. No exceptions to the certification statement identified in OMB Form 83-I are requested

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.