

Supporting Statement for Paperwork Reduction Act Submissions

JUSTIFICATIONS

1. Pursuant to (I) Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d et seq., and its implementing regulations, 28 C.F.R. § 42.101 et seq., and (I) anti-discrimination provisions in the Omnibus Crime Control and Safe Streets Act, 42 U.S.C. § 3789d, and its implementing regulations at 28 C.F.R. § 42.201 et seq., the Department of Justice has the authority to investigate certain allegations of discrimination on the basis of race, color, national origin, religion, or gender by recipients of Federal financial assistance. See 28 C.F.R. § 42.107 and 28 C.F.R. § 42.205 (copies attached). The Department's Civil Rights Division, Coordination and Review Section (COR) serves as a clearinghouse for receipt of complaints alleging discrimination. Following receipt of a complaint, COR must determine whether the Department or another Federal agency has jurisdiction to investigate the complaint. If the Department has jurisdiction to investigate the complaint, it must undertake an investigation of the complaint, attempt to achieve informal resolution of the complaint and, if informal resolution is not achieved, issue a Letter of Finding that must include findings of fact and conclusions of law. If the Department does not have jurisdiction, COR must forward the complaint to the applicable Federal agency.
2. The information to be collected in the form submitted for OMB approval (Complaint Form) has been, and will be used by the Department's attorneys and investigators (I) to determine whether the Department of Justice or another Federal agency has jurisdiction to investigate the alleged discrimination, (ii) if the Department does not have jurisdiction, to make a referral to the appropriate agency, and (iii) if the Department has jurisdiction to investigate the complaint, to provide the information needed to initiate investigation of the complaint. This information has been used by other Departments in the course of their investigation.
3. The use of this form provides the most efficient means of collecting the required data. No electronic collection techniques are being used.
4. This form will only be distributed to individual complainants at their request and use of the form is voluntary. If the information provided by a complainant indicates that the complaint should be investigated by another Federal agency, the completed form will be forwarded to the investigating agency, thus avoiding any duplicative requests for information.
5. This collection of information does not involve small businesses or other small entities.
6. If this information were not obtained, the Department would be unable to process and investigate complaints as required by its statutory mandate.

7. None of the listed special circumstances are applicable to this information collection.
8. The Department has solicited comments on the extension of this particular information collection. The 60/30-day notice was published in the Federal Register for public comment ??
9. The Department does not provide payment or gifts to respondents in exchange for a benefit sought.
10. A separate portion of the Complaint Form entitled the "Complainant Consent Release Form" (Consent Form) describes how information provided to or obtained by the Department of Justice in the course of complaint investigation will be treated by the Department. The Consent Form provides a brief overview of the Privacy Act of 1974, 5 U.S.C. § 552a, and the Freedom of Information Act, 5 U.S.C. § 552. The complainant has the option of giving or denying consent to the disclosure of information by the Department during the course of its investigation. See page 3 of the Consent Form.
11. There are no sensitive questions.
12. There are 2000 respondents for this information collection. The respondent normally responds 1 time annually. The total number of responses is 2000. It is estimated that it take 10 minutes to learn about the law and the Complaint Form and 20 minutes to complete the Complaint Form.
13. There are no capital or start-up costs associated with this information collection. Self-addressed returned envelopes are sent to the respondents to return the Complaint Form and Consent From to the Department at no cost to respondents. Any costs burdens to respondents as a result of this collection are identified in item 14 below.
14. Annual Cost Analysis:

Print cost	\$ 640.00	
	Collection and processing	13,440.00
Total cost to the Federal government	14,080.00	
Total public cost (hourly rate to complete the Complaint Form)	7,000.00	
15. Due to successful education and outreach campaign by the Department, the number of individuals aware of and using the Complaint From in the past year has doubled.
16. The Department does not intend to use statistics or the publication thereof for this collection of information.

17. The Department is seeking approval to not display the expiration date for OMB approval of this information collection. (??)
18. There are no exceptions to the certification statement.