

SUPPORTING STATEMENT

OMB NO: 1105-0052

Part A. Justification:

1. Necessity of Information Collection

The Radiation Exposure Compensation Act, 42 U.S.C. § 2210 note (2000), amended by Pub. L. No. 107-273 (2002) (“the Act”), provides compassionate payments to certain individuals who were exposed to radiation as a result of above-ground nuclear weapons testing, or from former employment as a uranium miner, uranium miller, or ore transporter, and then subsequently contracted certain specific illnesses. An individual seeking compensation under the Act must initially complete a claim form, pursuant to the Act’s implementing regulations. See Radiation Exposure Compensation Act § 6(k), 42 U.S.C. § 2210 (note); 28 C.F.R. § 79.71(a).

There has been no change to the forms since their last approval.

2. Needs and Uses

The U.S. Department of Justice’s Radiation Exposure Compensation Program (“the Program”) reviews the information provided on each claim form and any accompanying documentation. The Department evaluates the claim, obtains additional information or documentation as needed, and ultimately decides whether the claim satisfies the statutory and regulatory criteria.

3. Efforts to Minimize Burden

The claim form is the most efficient means for obtaining the information necessary to evaluate an individual’s eligibility under the Act. The form is designed to be easily understood and answered by all applicants. The form is available electronically on the Civil Division’s website in order to reduce the burden on applicants. However, the Program will not move toward electronic submission of claims because original signatures and certified documents, such as birth certificates and marriage certificates, are required to establish eligibility for compensation.

4. Efforts to Identify Duplication

The Program utilizes five differently-colored claim forms; one for each category of applicants identified in the Act. The claimant categories include: former uranium miners; former uranium millers; individuals formerly employed in the transport of uranium or uranium-vanadium ore; individuals who were physically present in an affected area “downwind” from the Nevada Test Site; and individuals who participated onsite in the detonation of an atmospheric nuclear weapons test. The information collected for each claimant category is directly pertinent to determining eligibility, and there is no duplication of effort.

5. Methods to Minimize Burden on Small Business

The Program's claim form is unlikely to have any impact on small business. The law is only concerned with compensating individuals, and there are no references to compensating small entities or businesses.

6. Consequences of Less Frequent Collection

Without information collected on the claim form, individuals could not receive compensation under the Act.

7. Special Circumstances Influencing Collection

The application forms are a one-time collection, and thus respondents are not required to report information to the Program more than quarterly.

Respondents are not required to submit documentation in less than thirty days after receipt of the application.

Respondents are not required to submit more than the original and two copies of any document.

Respondents are not required to retain any record other than health, medical, government, contract, grant-in-aid, or tax records for more than three years.

There is no information collection in connection with a statistical survey.

The compensation forms do not require the use of any statistical data collection.

The application forms do not include a pledge of confidentiality that is unsupported by authority established in statute or regulation.

The compensation form does not require respondents to submit proprietary trade secrets or other confidential information.

8. Reasons for Inconsistencies with 5 C.F.R. § 1320.6

A 60 day notice has been published in the Federal Register (73 FR 23272). A 30 day notice has been published in the Federal Register (73 FR 38246).

9. Payment or Gift to Claimants

Once it has been established that a respondent has satisfied all eligibility criteria, the Assistant Director for the Radiation Exposure Compensation Program will determine whether payment may be awarded. If appropriate, an "Acceptance of Payment" letter is mailed to the respondent. Upon receipt of pertinent information relating to the respondent's selected financial institution and method of payment, the Assistant Director will authorize the appropriate authority to issue a payment accordingly.

10. Assurance of Confidentiality

The claim form does not contain an assurance of confidentiality. However, the Department adheres to the mandate set by the Freedom of Information Act/Privacy Act of 1974, 5 U.S.C. § 552a.

11. Justification for Sensitive Questions

There are no sensitive questions on the claim form.

12. Estimate of Hour Burden

The Department anticipates that approximately 2,000 individuals will each file one claim form each year. Given that the information collection takes about two and a half burden hours each, we anticipate a total of 5,000 total burden hours each year.

13. Estimate the Cost Burden

There is virtually no real cost to public, other than the personal time it takes for the applicant to complete the form and gather all appropriate paperwork. Individuals may obtain a claim form by contacting the Department through a toll-free number or accessing the form through the Department of Justice website. In translating the time it takes to complete the claim form to a dollar figure, the Department estimates a cost of \$25.00 per claim form. Multiplied by the total number of annual claim forms, the total annual cost to individuals completing the claim form is estimated at \$50,000.

14. Estimated Annualized Cost to Federal Government

Based on past expenditures, the anticipated yearly cost of printing the claim forms is \$3,000.

15. Reasons for Program Changes

The estimates of the cost burden in question 13 have been slightly altered due to a decrease in the number of annual respondents. There is no change to the estimated annualized cost to the federal government in question 14.

16. Plans for Publication

The Radiation Exposure Compensation Program has no plans for publication.

17. Expiration Date Approval

The Department requests a waiver for the display of an expiration date on the information collection because it would be virtually impossible to revise expiration dates on those forms already distributed to the public. Furthermore, the Act now authorizes payment on radiation

claims through 2022, and it is expected that claim forms may be revised several times before then due to regulatory and statutory revisions. Without approval to waive the expiration date, applicants may be unfairly confused by forms already distributed, and the federal government would have to bear unnecessary printing costs. OMB previously approved our request to waive the display of the expiration date.

18. Expectations to Certification Statement

There are no expectations to the certification statement.

Part B. Statistical Methods

We will not be employing statistical methods in this information collection.