

Part A. Justification:

1. Necessity of Information Collection

Section 11015 of the 21st Century Department of Justice Appropriations Authorization Act (P.L. 107-273) requires the Department of Justice to prepare and maintain a list of annuity brokers who meet minimum qualifications for providing annuity brokerage services in connection with structured settlements entered by the United States. The Attorney General is required to transmit the list, and any updates to such a list, to all United States Attorneys. The Civil Division assists in compiling the list for the Department. See 28 C.F.R. § 50.24.

This collection was previously approved by OMB on two separate occasions. The Department of Justice is now submitting this information collection for approval for the standard three-year period. The information collection itself has not changed. The only change in this request is a slight reduction in the estimated number of annual respondents from 400 to 300. This reduction is noted below in questions 12, 13, and 15.

2. Needs and Uses

The information submitted by individual brokers on the Declaration required by the Attorney General is used to determine if the applicant is eligible to be included on the list of structured settlement brokers. The Civil Division evaluates the information provided and determines whether the applicant meets the minimum qualifications.

3. Efforts to Minimize Burden

The Declaration is the most efficient means for obtaining the information necessary to evaluate an individual's eligibility. The Declaration is designed to be easily understood by all applicants. The Declaration is the only document that needs to be signed and submitted by an applicant. The Declaration is the only information that will be considered in determining whether an applicant meets minimum qualifications. Currently, the Declaration is electronically available at the Civil Division's web site. However, the Department will not move toward electronic submission of Declarations because original signatures are required to establish eligibility.

4. Efforts to Identify Duplication

This is the only effort by the Department of Justice to develop and maintain a list of structures settlement brokers that complies with the 21st Century Department of Justice Appropriations Authorization Act (P.L. 107-273).

5. Methods to Minimize Burden on Small Business

The Declaration will be completed by individuals only.

6. Consequences of Less Frequent Collection

The 21st Century Department of Justice Appropriations Authorization Act (P.L. 107-273) requires the Attorney General to create the list within 6 months of enactment and to update the list. Each broker must submit new declaration annually to be included on updated lists.

7. Special Circumstance Influencing Collection

There are no special circumstances that would cause an information collection to be conducted in any unusual manner (including the specific circumstances identified in the instructions for question 7).

8. Federal Register/Consultations

The 60- and 30-day notices were sent to the Federal Register for publication and public comment. See 74 Fed. Reg. 38,471 (2009); 74 Fed. Reg. 51,877 (2009). The Civil Division has reviewed the Annuity Brokers Declaration and any comments received from the public will be carefully reviewed to determine if any changes are needed.

9. Payment or Gift to Respondents

No payment or gift will be provided to applicants for filling out the form itself.

10. Assurance of Confidentiality

There is no assurance of confidentiality. Any release of information will conform to the stipulations of the Privacy Act Authorization for Release of Information that applicants sign as part of the Declaration.

11. Justification for Sensitive Questions

There are no sensitive questions on the application form.

12. Estimate of Hour Burden

An estimated 300 respondents will complete this application form annually at an average response time of one hour per respondent.

300 respondents X 1 hour per respondent = 300 burden hours

This is a reduction from 400 annual respondents that was reported in previous requests for OMB approval. This decrease from 400 to 300 annual respondents reduced the total hour burden from 400 hours to 300 hours each year.

13. Estimate of Cost Burden

We estimate the cost burden to applicants to be \$50 per application. This figure includes the cost of postage and the value of the personal time that each applicant must dedicate to filling out the necessary forms.

300 respondents X \$50 per response = \$15,000 cost burden

As noted in question 12, an estimate of 300 annual respondents is reduction from 400 annual respondents that was reported in previous requests for OMB approval. The decrease from 400 to 300 annual respondents reduces the total cost burden from \$20,000 to \$15,000.

14. Estimated Annualized Cost to Federal Government

We estimate the annualized cost to the government to be \$1,000. This cost estimate is based on the cost of support staff to provide administrative processing of the forms and the equipment costs to process the forms. A brief survey of budget and litigation support personnel yielded the \$1,000 estimate.

15. Reasons for Program Changes

As noted in questions 1, 12, and 13, the Department of Justice has slightly reduced its estimate of the number of annual respondents to this information collection from 400 to 300. The Department of Justice believes, based on its experience with this information collection over the past several years, that 300 is a more likely estimate than 400. The impact of this reduction, to both burden hours and to the cost burden, is reflected in questions 12 and 13 above.

16. Plans for Publication

There are no plans for publication of the list.

17. Expiration Date Approval

We are not seeking approval to prevent the display of the expiration date.

18. Exceptions to Certification Statement

There are no exceptions to Item 19 of OMB form 83-I.

Part B. Statistical Methods:

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