



Trustees

U.S. Department of Justice

Executive Office for United States

Office of the Director

Washington, D.C. 20530

June 17, 2009

MEMORANDUM

TO: Lynn Bryant
DOJ Clearance Officer

FROM: Clifford J. White III
Director

SUBJECT: Request for Renewal Approval by the Office of Management and Budget of the "Application for Approval as a Provider of a Personal Financial Management Instructional Course"

This memorandum and the attached materials are submitted under the Paperwork Reduction Act, 44 U.S.C. § 3501, *et seq.*, to authorize the United States Trustee Program (Program) to continue to use the information collection request (ICR) utilizing the "Application for Approval as a Provider of a Personal Financial Management Instructional Course" (Application). This ICR was previously approved by OMB for 3 years under 1105-0085; the expiration date is June 30, 2009.

On April 20, 2005, amendments to the Bankruptcy Code were enacted, which took effect on October 17, 2005. Under the Bankruptcy Code, individual debtors are required to complete an approved instructional course concerning personal financial management after filing for bankruptcy before they may receive a discharge of their debts. 11 U.S.C. § 727(a)(11). The Program has responsibility for approving the providers of the personal financial management instructional courses that debtors must complete. 11 U.S.C. § 111(a)-(e). Before such a provider is approved, a United States Trustee is required to review the provider's qualifications under the standards set forth in the statute, and the United States Trustee may require the provider to submit information needed for this review. 11 U.S.C. § 111(d). Approved providers are named on a publicly available list in each federal judicial district where they are approved to educate debtors. 11 U.S.C. § 111(a). Providers are approved for a probationary period not to exceed six months. The Program may approve a provider for an additional one year period, or for successive one year periods thereafter if the provider demonstrates it meets the standard set forth under 11 U.S.C. § 111 and can satisfy such standards in the future.

The ICR as provided in the Application is necessary to carry out the Program's statutory mandate in determining whether a provider is in compliance with statutory standards and should be approved for an additional one year period pursuant to 11 U.S.C. § 111. The collected information will enable the Program to assess each applicant's eligibility for approval under statutory standards that include providing trained personnel with adequate experience and training in providing effective instruction and services; using learning materials and teaching methodologies designed to assist debtors in understanding personal financial management; providing adequate facilities; and maintaining adequate records.

The following documents are contained in the attached ICR package:

1. OMB Form 83-I, Paperwork Reduction Act Submission.
2. Supporting statement for the Paperwork Reduction Act Submission.
3. Application and instructions used to collect the information.
4. Law or authority mandating the information collection.
5. 60-day Emergency ICR Notice for publication in the Federal Register.
6. 30-day Emergency ICR Notice for publication in the Federal Register.

Your favorable consideration of this request will be greatly appreciated. If there are any questions concerning the ICR, please contact Wendy Tien at 202-307-3698.

Attachments