

LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY OMB No.

JUSTIFICATION

1. Necessity of Information: S.2565: the Law Enforcement Congressional Badge of Bravery Act of 2008 was passed by the Senate on June 26, 2008 and the House of Representatives on July 22, 2008. The Act became Public Law No: 110-298 on July 31, 2008. Under Title I: The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a Law Enforcement Congressional Badge of Bravery to a Federal law enforcement officer who is cited by the Attorney General, upon the recommendation of the Federal Board, for performing an act of bravery while in the line of duty. Under Title II: The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a State and Local Law Enforcement Congressional Badge of Bravery to a State or local law enforcement officer who is cited by the Attorney General, upon the recommendation of the State and Local Board, for performing an act of bravery while in the line of duty.

Under the Act, nominations must be submitted to the Congressional Badge of Bravery Office (hereinafter referred to as the "Office"), not later than February 15 of the year following the date on which the act of bravery was performed. This will tentatively provide applicants one - and - one - half months to apply. Each Board will require at least one month to review the applications and supporting documents.

2. Needs and Uses: The information collected on this application will provide for the nomination of law enforcement officers for both the Federal, and the State and Local Congressional Badge of Bravery awards. These awards will recognize law enforcement officers who (1) was injured while engaged in lawful duties and performing an act of bravery that put such officer at personal risk; or (2) though not injured; performed an act of bravery that placed such officer at risk of serious physical injury or death.

A Law Enforcement Congressional Badge of Bravery Board (hereinafter referred to as the "Federal Board"), as required by the legislation, is appointed by the Majority and Minority leaders of the Senate, the Speaker and Minority leader of the House of Representatives, the Attorney General, the Law Enforcement Officers Association Executive Board, and the Fraternal Order of Police Executive Board.

A State and Local Law Enforcement Congressional Badge of Bravery Board (hereinafter referred to as the "State and Local Board"), as required by the legislation, is appointed by the Majority and Minority leaders of the Senate, the Speaker and Minority leader of the House of Representatives, the Attorney General, the Fraternal Order of Police Executive Board, the National Association of Police Organizations Executive Board, the Black Law Enforcement Executives Executive Board, the International Association of Chiefs of Police Board of Officers, and the National Sheriffs' Association Executive Committee.

The Federal Board, and the State and Local Board shall annually present to the Attorney General the names of those law enforcement officers that they recommend as Congressional Badge of Bravery recipients.

3. Use of Technology: The application process is managed through the Internet, using a sub-directory under [bj.ncjrs.gov](https://bja.ncjrs.gov) at: <https://badgeofbravery/bja.ncjrs.gov>

Prospective applicants can nominate candidate(s) using this electronic paperless system.

4. Efforts to Identify Duplication: This application will be used to nominate law enforcement officers solely for this award. The information collected is specific for this program

5. Impact on Small Business: Information is collected only from federal, state and local law enforcement governmental agencies. There is no impact on small businesses or other entities as they are not eligible to apply.

6. Consequences of Less Frequent Collection: If this collection is not conducted, law enforcement officers whose lives are at risk may go unrecognized for their exceptional bravery, extraordinary decisiveness, presence of mind, and unusual swiftness of action, regardless of his or her own personal safety, in the attempt to save or protect human life.

7. Special Circumstances Influencing Collection

This application/nomination is voluntary. Information is collected only if an agency decides to nominate a law enforcement officer for exceptional acts of bravery. Application/nomination(s) may be submitted for one or more public safety officer per incident of bravery.

Applications/nominations will be used only for recognition of acts of bravery accomplished during any given year.

- A. Applicants/nominees do not need to submit multiple copies of this form.
- B. The following requirements must be included with the application /nomination for recognition of accomplishments during any given year:
 - i. The nominator's full name;
 - ii. The occupational title of the nominator;
 - iii. The nominator's agency name, address, email and telephone number;
 - iv. The full name of the nominee;
 - v. The home mailing address of the nominee;
 - vi. The occupational title and grade or rank of the nominee;
 - vii. The event date when the act of bravery occurred;
 - viii. The nominee's gender;
 - ix. The nominee's telephone number;
 - x. The agency in which the nominee served on the date when such nominee performed the act of bravery;
 - xi. The field office address of the nominee on the date when such nominee performed the act of bravery;
 - xii. The number of years of government service by the nominee as of the date when such nominee performed the act of bravery; and
 - xiii. A written narrative (not more than 2 pages), describing the circumstances under which the nominee performed the act of bravery, and how the circumstances meet the criteria described for the award.
- C. The following optional information may also be included:
 - i. Witness information from persons having personal knowledge of the facts surrounding the act of bravery
 - ii. Supporting documentation such as reports, photos, media clips and other

associated materials

- D. This collection is not part of a statistical survey.
- E. This collection does not require the use of statistical data.
- F. The collection does not request proprietary information.

8. Federal Register Publication and Consultation: OJP will solicit public comments on the data collection per OMB specifications. The 60-Day and 30-Day Federal Register Notices will be published to inform and solicit comments from the public. OJP will address responses to the notice as they become available. If comments are pertinent, they will be incorporated into the on-line application.

9. Payment or Gifts to Respondents: Respondents nominating a law enforcement officer will not be compensated for this collection. However, this application/nomination will be used to recommend one or more law enforcement officer(s) for recognition; therefore, an award could be presented to the nominee if the Board deems the act of bravery worthy.

10. Assurance of Confidentiality: The Federal Board, and the State and Local Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential. OJP is compliant with 28 CFR 22, which protects confidentiality of identifiable and statistical information and is committed to keeping a system of records that is consistent with the regulations of the Privacy Act.

11. Justification for Sensitive Questions: This application/nomination does not contain any questions of a sensitive nature.

12. Estimate of the Hour Burden: An estimate of 200 applications/nominations for each Board has been adopted from a similar awards program and is being used for the Law Enforcement Congressional Badge of Bravery. The applicant should take approximately 25 minutes to gather the required information and complete the form. Actual preparation time is dependent on the number of nominees per application.

$$200 \times 25 \text{ minutes} = 5,000 \text{ minutes} / 60 = 83.33 \text{ hours for each award category}$$

The projected hours per response are based upon estimates adopted for a similar awards program. This estimate includes reading the introduction to the application, choosing nominee(s), answering any questions the respondent may have about the survey or items on it, and reading through the questions

13. Estimate of the Total Annual Cost Burden: There are no direct costs to the applicants other than the time taken to complete and submit the voluntary application. Applicants are not requested to create and maintain an independent data collection, reporting systems, nor travel. Consequently, the applicants incur no additional costs.

14. Estimates of Annualized Cost to the Federal Government: The estimated annualized cost to the Federal government for a GS-0301-13/5 to review, compile and process approximately 400 forms at 5 minutes per form is projected as follows:

400 applications/nominations x 5 minutes = 2,000 minutes/60 min per hour = 33.33 hours.

GS-13/5 Program Lead

33.33 hours x \$ 65.51 (Average hourly wage of 48.52 plus 35% fringe benefit rate) = \$2,183.45

Board Members

The Federal Board is composed of 7 volunteer members and the State and Local Board is composed of 9 volunteer members. The members of both Boards are Federal employees, state and local criminal justice parishioners and/or private citizens. A budget is allocated by 42 U.S.C. § 15203 for travel, room and board and compensation for the non Federal employee board members to review the applications.

15. Reason for Changes in Reporting Burden: N/A

16. Plans for Publication: OJP anticipates selection and announcement within 90 -120 days after the application deadline. Submission of a press release, announcement and publication in newsletters or local media journals might take several months longer. Annually, the Office will issue a press release requesting nominations for the Law Enforcement Congressional Badge of Bravery. The recipients' members of Congress may jointly present, or in their absence, the Attorney General or a designee may present the awards. Nominations are made between January 1 and February 15, for acts of bravery that occurred during the previous calendar year, by completing an on-line application at: <https://badgeofbravery/bja.ncjrs.gov> . The deadline for receipt of nominations is February 15.

17. Expiration Approval Date: The OMB Number and Expiration Date are displayed on the application form.

18. Exceptions to the Certification Statement: OJP does not request an exception to the certification of this information collection.

COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods will not be used in this information collection.

M. Berry/G. Joy
February, 2010