

SUPPORTING STATEMENT

A. Justification.

1. The Gambling Devices Act of 1962 (15 U.S.C. §§ 1171-1178) (“the Act”) and the Code of Federal Regulations (28 C.F.R. §§ 3.1-3.5) require that any entity which participates in the interstate commerce of gambling devices register with the Department of Justice Criminal Division on an annual basis prior to engaging in business. The Act specifically states that certain information must be provided in order to register. This submission to OMB is for approval of a revision to a currently approved collection which is about to expire. The Criminal Division has changed the wording, but not the substance, of certain questions on the form in order to clarify what is being asked; the number of respondents (and hence the burden hours to the public and the cost to the government) has also increased since the collection was originally approved.
2. The Criminal Division provides registration information to local, state, and federal law enforcement, who use the information to ensure compliance with the law and to prosecute violators.
3. The Criminal Division does not currently collect any of this information via automated, electronic, mechanical, or other technological collection technique. The form is available online at www.justice.gov/criminal/oeo/gambling as a fillable, printable PDF. Since it is desirable to have a handwritten signature for law enforcement purposes, the Criminal Division is not currently considering a web-based form or a fillable, fileable form. Respondents can, however, scan the signed form and email it to Gambling.Registration@usdoj.gov.
4. The Criminal Division is not aware of any other federal organizations that collect this information. State gaming commissions collect the same information, if not more, from gambling license applicants; however, federal law mandates that each entity covered by the Act must submit the required information to the Criminal Division.
5. This data collection is not believed to have a significant economic impact on small businesses.
6. The Act mandates the collection of this data on an annual basis. It is therefore not possible for the Criminal Division to reduce the frequency or to stop the collection of this data.
7. There are no special circumstances associated with this data collection.
8. The 60-day and 30-day notices have been published in the *Federal Register* and are attached. To date, no responses from the public have been received.

There has been no consultation with persons outside the agency regarding this data collection. Since the Criminal Division reviews all requests for registration for completeness, some questions on the form currently being submitted to OMB have been re-worded based on the

mistakes people have made in completing the previous version of the form. The specific changes being made are as follows:

- In Item #1, “tribe” has been added to the list of sample registrant’s names to encourage tribes to register under the name of the tribe, and not the name of the tribe’s casino.
- In Item #2, registrants are now asked to specify whether they do business as, trade as, or operate as under any other business names. Since the terms “doing business as” and “trading as” have specific legal meanings, registrants should indicate which of these terms apply.
- Some registrants are not including in Item #3 the titles of the officers or owners of the entity being registered. This question has been re-worded to emphasize that organizations and tribes must provide this information as well as businesses.
- Items #4-6 have been amended to clarify when post office boxes can be used for the address. Item #4 has also been amended to reflect the fact that the Criminal Division now wants separate requests submitted for each location.
- Item #7 has been amended to clarify the meaning of certain activities. Many respondents do not understand the difference between “using” and “making available for use by others,” so examples of each have been added. The Criminal Division also wants to know if a registrant has acquired a gambling device for personal home use; some businesses that sell devices to such individuals are also checking off this category, which they should not. Under the Freedom of Information Act, the Criminal Division does not release to the public the names of individuals who have purchased a device for personal use; hence, the need to accurately identify such individuals.

9. The Criminal Division does not provide payments or gifts to respondents.

10. The Criminal Division does not provide any assurance of confidentiality to respondents. The Freedom of Information Act Unit, Office of Enforcement Operations, Criminal Division has determined that the data collected is a matter of public record.

11. This data collection does not involve any questions of a sensitive nature.

12. Approximately 4,200 respondents will register each year. It is estimated that it will take approximately 0.08 hours (five minutes) to complete the request for registration, for a total annual reporting burden of 350 hours. The annualized cost to respondents for this hour burden is minimal, as it only involves filling in the form and mailing, faxing, or e-mailing it to the Criminal Division.

13. There are no capital or start-up costs associated with this information collection, as no special equipment is required. Operation and maintenance costs are also estimated to be zero, as

this data collection merely involves providing basic information about the respondent to the Criminal Division.

14. Estimate of annualized cost to the Federal government:

Personnel:	\$31,500.00
Collection and processing:	\$3,726.00
Total cost to the Federal government:	\$35,226.00

It is estimated that staff spends approximately 1,050 hours per year processing registration requests. The collection and processing figure includes all other costs associated with this information collection, such as printing, mailing, supplies, etc.

15. The annualized cost to the government has increased due to an increase in the number of respondents. In the past two years, some states have cracked down on entities which were not registered, and others have passed laws making more forms of gambling legal. Both factors have led to more entities seeking to register.

16. There are no “results” from this data collection that will be tabulated and published.

17. The expiration date for OMB approval of the information collection will be displayed.

18. There are no exceptions to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

B. Collections of Information Employing Statistical Methods

This information collection does not require the employment of statistical methods.