

DEPARTMENT OF JUSTICE  
FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

SUPPORTING STATEMENT FOR  
REQUEST FOR OMB APPROVAL OF COLLECTION OF INFORMATION  
UNDER THE PAPERWORK REDUCTION ACT AND 5 CFR 1320

Claims of United States Nationals Against Iraq  
OMB Number xxxx-xxxx  
FCSC 1-12

A. Justification

1. This collection of information is needed in order to enable the Foreign Claims Settlement Commission to receive, examine and adjudicate claims of U.S. nationals against the Government of Iraq made pursuant to the terms of the Claims Settlement Agreement Between the Government of the United States of America and the Government of the Republic of Iraq of September 2, 2010 (Attachment A), as referred to the Commission by the Department of State. Under 22 U.S.C. §1623 (Attachment B), the Commission has authority to receive, examine and adjudicate claims of U.S. nationals against Iraq pursuant to the settlement agreement and the Department of State referral of November 14, 2012. (Attachment C)
2. The collected information will be used by the Commission as the basis for determining the validity and amount of claims of U.S. nationals settled in the agreement with Iraq and referred by the Department of State, and to certify awards resulting from those determinations to the Secretary of the Treasury for payment out of compensation funds provided for this purpose, in accordance with 22 U.S.C. §§1624-1627.
3. The Commission has developed this form to enable claimants or their legal representatives to enter the data electronically so as to facilitate efficient processing of the claims.
4. The Commission is unaware of any available sources that would contain information similar to that being requested.
5. This item is not applicable. To the Commission's knowledge, there are no small businesses or other small entities included among the claimants.
6. If the collection is not conducted, the Commission will be unable to review claims referred by the Department of State and ensure that meritorious claims are compensated.
7. There are no special circumstances associated with this collection.
8. A Federal Register notice has been published to solicit public comment.
9. This item is not applicable.
10. As reflected on the draft Statement of Claim form, the information submitted by the respondents will be subject to public disclosure under the Freedom of Information Act (5 U.S.C. § 552).

11. Depending on the claim filed, it may be necessary for the Commission to ask questions of a sensitive nature. The Referral from the State Department is for adjudication of claims of U.S. nationals for compensation for serious personal injuries knowingly inflicted upon them by Iraq in addition to amounts already recovered under the Claims Settlement Agreement for claims of hostage-taking provided that (1) the claimant has already received compensation under the Claims Settlement Agreement from the Department of State for his or her claim of hostage-taking, and such compensation did not include economic loss based on a judgment against Iraq, and (2) the Commission determines that the severity of the serious personal injury suffered is a special circumstance warranting additional compensation. For purposes of this referral, "serious personal injury" may include instances of serious physical, mental, or emotional injury arising from sexual assault, coercive interrogation, mock execution, or aggravated physical assault. The information will be used to adjudicate the claimants' claims. The claimants will be provided the claim form as well as instructions for the claim form, which will make clear that the information requested will be used to adjudicate the claim.
12. Annualized costs of this collection for the respondents will consist merely of postage and photocopying expenses, which should amount to less than \$10 per respondent, and expenditure of their personal time in providing the information requested. As indicated on the attached Standard Form 83-I, it is estimated that there will be approximately 20 respondents, and that the one-time response will require an average of about two hours of each respondent's time. This estimate is derived based upon experience in past claims programs where similar types of information were collected. Using 20 respondents as a baseline, we project the total burden to be approximately 40 hours.
13. There is no additional cost beyond that described above.
14. There is no additional cost to the federal government for this collection.
15. Burden number changes are due to this being a new collection.
16. The information from this collection will form the basis for decisions of the Commission. The final decisions of the Commission will be published on the Commission's public website pursuant to 5 U.S.C. § 552(a)(2) in due course.
17. This item is not applicable, as the OMB Approval Number will be displayed on the information collection form.
18. There are no exceptions to the Item 19 Certification at the end of the attached OMB Form 83-I.

Draft versions of the information collection form and instructions are included as Attachments D and E. We propose to produce the form on the Commission's own printing and duplicating equipment.

B. Collections of Information Employing Statistical Methods.  
Not Applicable