

**SUPPORTING STATEMENT FOR DOJ'S CRIME VICTIM'S RIGHTS ACT  
COMPLAINT FORM**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Crime Victims' Rights Act of 2004, 18 U.S.C. § 3771 (CVRA), sets forth the rights of a federal crime victim to file a complaint against any Department of Justice employee who violated or failed to provide rights established under the CVRA.

The Department of Justice has created the Office of the Victims' Rights Ombudsman to receive and investigate complaints filed by federal crime victims against its employees and has implemented "Procedures to Promote Compliance with Crime Victims' Rights Obligations," 28 C.F.R. § 45.10.

The complaint process is not designed for the correction of specific victims' rights violations but is instead used to request corrective or disciplinary action against Department of Justice employees who may have failed to provide rights to crime victims. The Department of Justice will investigate the allegations in the complaint to determine whether the employee used his or her "best efforts" to provide crime victim rights. The Office of the Crime Victims Rights Ombudsman does not administer crime victim funds or provide services.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The information to be collected in the form submitted for Office of Management and Budget (OMB) approval is necessary to enable the Department to process and investigate complaints as required by statutory mandate. The use of this collection instrument will facilitate this process by assisting complainants to identify and provide the information necessary to initiate an investigation.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

Currently, an online fillable complaint form (Microsoft Word) is available on the Department's Office of the Victims' Rights Ombudsman website (<https://www.justice.gov/usao/office-victims-rights-ombuds>). Crime victims may view, print, and/or electronically submit the form via email. No paper submissions are required.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.**

The form will only be distributed to individual crime victims at their request and use of the form is voluntary. If the information provided by a crime victim indicates that the complaint is within the jurisdiction of another federal agency or can otherwise be investigated by another federal agency, the Attorney General will retain jurisdiction or forward to an investigating agency, thus minimizing duplicative requests for information.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

There is no significant impact on small business or other private entities.

**6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If this information were not obtained, the Department would be unable to process and investigate CVRA complaints as required by its statutory mandate.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**

- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances.

**8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

The 60-Day Notice was published in the Federal Register on August 2, 2023 (88 FR 50912). The comment period ended on October 2, 2023. No comments were received.

**9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.**

No government funds will be used as payment or for gifts to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

The Victims' Rights Ombuds requires the information collected in this form to investigate and resolve your complaint pursuant to the Crime Victims' Rights Act of 2004, 18 U.S.C. § 3771(f)

(CVRA). The Victims' Rights Ombuds will use the information to make a final decision regarding whether a Department of Justice employee has violated the CVRA. The Victims' Rights Ombuds will safeguard any personal information against unauthorized disclosure. The information you provide is subject to the provisions of the Privacy Act (5 U.S.C. 552a). We will not disclose the information you provide unless you have given us written authorization to do so or the disclosure is otherwise permitted under the provisions of the Act or in accordance with our routine uses published in 53 FR 40528 (October 17, 1988) and 66 FR 29992 (June 4, 2001). False information on this form may subject the individual submitting the information to criminal penalties under 18 U.S.C. § 1001 and/or 5 U.S.C. 552a(i)(3).

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

The collection does not request information that is sensitive in nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

#### **Estimated Annualized Respondent Cost and Hour Burden**

The Department records the number of complaints received and estimates the number of hours

used to complete each complaint. The following annual figures were derived from past experience with prior submissions of complaints alleging CVRA violations.

**BURDEN HOURS (Annually)**

<b>Category of Respondent</b>	<b>No. of Respondents</b>	<b>Participation Time</b>	<b>Burden</b>
Federal Crime Victims	100	45 minutes	75 (hrs)
<b>Totals</b>	<b>100</b>		<b>75 (hrs)</b>

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

- **The cost estimate should be split into two components: (a) a total capital and start up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

There is no capital or start-up cost associated with this information collection. There is no fee charged to individuals who file a CVRA complaint. The cost to such individuals should be \$0.

**14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.**

There is no capital or start-up cost associated with this information collection. The Office of the Crime Victims Rights Ombudsman estimates there will be no annual costs to the Federal government.

**15. Explain the reasons for any program changes or adjustments.**

This is a new collection.

**16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The Department does not intend to use statistics or the publication thereof for this collection of information.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

We are requesting no exemption.

**18. Explain each exception to the certification statement.**

This collection of information does not include any exceptions to the certificate statement.

**B. COLLECTIONS OF INFORMATON EMPLOYING STATISTICAL METHODS.**

This collection does not contain statistical data.