

OMB Number: 1105-0108

Expiration Date: 8/31/2023

Complaint Regarding United States Marshals Service (USMS) Personnel or Programs

Supporting Statement A, for Paperwork Reduction Act Submissions

Each information collection request must include a supporting statement outlining the justification for the proposed collection. Completed supporting statement documents must include both the questions below and the component's answers, even if a question is not applicable. If selecting "Yes" on question 17 of OMB Form 83-I or if selecting in ROCIS that the collection will employ statistical methods, then Part B of the Supporting Statement must also be completed.

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 Director of the U.S. Marshals Service (USMS) is granted authority to issue a policy directive concerning misconduct investigations by 28 C.F.R. § 0.111(n) and 28 C.F.R. § 0.113. USMS Policy Directive 2.3 Misconduct Investigations requires all allegations of employee misconduct be investigated thoroughly. The introduction of this web-based form creates a portal for any USMS personnel or member of the public to submit information to the agency for review.

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.

Allegations of misconduct will be reviewed and a determination will be made by the USMS Office of Professional Responsibility, Internal Affairs (OPR-IA) if further investigation will be required. Non-frivolous information will become the basis for administrative investigations conducted by OPR-IA.

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.

The form will be a PDF that is able to be accessed from any computer or mobile device and completed if the user downloads the free Adobe Acrobat Reader software. The user may attach photographs and/or video to their submission to USMS, by email. Information submitted to the collection will be transmitted to OPR-IA for review and processing. The data will be stored in the OPR-IA electronic case management system and may be referred to the United States Department of Justice, Office of the Inspector General for consideration. The information will be managed by subject matter experts and will not be modified or distributed by any automated processes.

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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 2 above.

Inbound information is vetted against the existing data set to screen for duplication. Duplicate information will become supplemental and added to the existing case file if relevant.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Does not apply.

6. Describe the consequence to the 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.

USMS personnel and the general public would be limited in their ability to submit information to the USMS for review and in their ability to do so anonymously. Online submission of information is without cost to the general public and the most contemporary and widely used method of collection.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines: (a) requiring respondents to report information to the agency more often than quarterly; (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (c) requiring respondents to submit more than an original and two copies of any document; (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years; (e) 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; (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB; (g) that includes a pledge of confidentiality that is not supported by authority established in statute of 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; (h) requiring respondents to submit proprietary trade secrets 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.

Information will not be collected in a way that is inconsistent with OMB guidelines.

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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.

60 Day Federal Register Notice was published on July 7, 2023 (88, FR 43399). The public comment closes on September 7, 2023.

No public comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

Does not apply.

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

Information submitted will not be published in any public venue, however, it will be subject to Freedom of Information Act (FOIA) and disciplinary adjudication discovery. Applicable SORN is 82 FR 24151.

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.

Does not apply.

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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. Generally, 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 and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- 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 13.

We anticipate 1,000 submissions received per year. The time to submit the complaint will vary based on the length of the user's complaint but the average time estimated is 5 minutes per complaint. The total burden for this collection is 83 hours.

13. Provide an estimate for the total annual cost burden to respondents or record-keepers 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 services 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

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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:
 - Prior to October 1, 1995,
 - To achieve regulatory compliance with requirements not associated with the information collection,
 - For reasons other than to provide information or keep records for the government, or
 - As part of customary and usual business or private practices.

No such costs are associated with this collection. There will be no cost burden on the respondent to complete this request.

14. Provide estimates of annualized costs 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), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

The purpose of this process is to alleviate burden of frivolous and irrelevant information and will not result in any additional cost to the agency.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

N/A

16. For collections of information whose results will be published, outline plans for tabulation 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.

N/A

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.

N/A

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18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

N/A