

SUPPORTING STATEMENT A

Law Enforcement Congressional Badge of Bravery

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.

Necessity of Information: The United States Congress passed “Law Enforcement Congressional Badge of Bravery Act of 2008 (Act),” which was later signed into law on July 31, 2008.

Under Title I of the Act, the Law states: The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a Federal 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 of the Act, the Law states: 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 Contents sections of the Act – A nomination shall include: (1) a written narrative, of not more than 2 pages, describing the circumstances under which the nominee performed the act of bravery described in subsection (a) and how the circumstances meet the criteria described in such subsection; (2) the full name of the nominee; (3) the home mailing address of the nominee; (4) the agency in which the nominee served on the date when such nominee performed the act of bravery described in subsection (a); (5) the occupational title and grade or rank of the nominee; (6) the field office address of the nominee on the date when such nominee performed the act of bravery described in subsection (a); and (7) the number of years of Government service by the nominee as of the date when such nominee performed the act of bravery described in subsection (a).

In addition, under the Submission Deadline sections of the Act – A Federal/State and Local agency head shall submit each nomination under subsection (a) to the Congressional Badge of Bravery (CBOB) Office not later than February 15 of the year following the date on which the nominee performed the act of bravery described in subsection (a).

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.

Purpose for Use: BJA's CBOB Office will use the CBOB nomination information to confirm the eligibility of nominees to be considered for the CBOB, and forward the nomination as appropriate to the Federal or the State and Local CBOB Board for their further consideration. In General – A Federal/State and Local agency head may nominate for a Federal/State and Local Law Enforcement Badge and individual – (1) who is a Federal/State and Local law enforcement officer working within the agency of the Federal/State and Local agency head making the nomination; and (2) who – (A)(i) sustained a physical injury while – (I) engaged in the lawful duties of the individual; and (II) performing an act characterized as bravery by the Federal/State and Local agency head making the nomination; and (ii) put the individual at personal risk when the injury described in clause (i) occurred; or (B) while not injured, performed an act characterized as bravery by the Federal/State and Local agency head making the nomination that placed the individual at risk of serious physical injury or death. The U.S. Department of Justice's Office of Justice Programs' Bureau of Justice Assistance has been authorized to administer the Law Enforcement Congressional Badge of Bravery (CBOB) Program.

The electronic nomination form has been created in an effort to streamline the nomination process, collect all required information as established under the Act, and make available such nominations to the relevant CBOB Board for their review and consideration.

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.

Use of Information Technology: The CBOB nomination form is only accessible by the Internet at the CBOB website: www.bja.gov/CBOB.

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.

Identification of Duplication: This is the only Federal program established by Congress strictly for the purpose of identifying and acknowledging acts of bravery and federal, State and Local law enforcement officers. The CBOB nomination is the only form that asks the information required to determine if an individual is eligible for the CBOB.

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

Impact on Small Businesses or Other Entities: The information collection requirements do not impact small businesses or other entities as described in the instructions for completing OMB Form 83-I.

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.

Consequences if Collection is not conducted: The information collected on the CBOB nomination is required under the Act, and is necessary to confirm that the nominee is eligible for the CBOB. Without the needed information, eligibility cannot be determined and consequently no awards will be made.

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.**

Special Circumstances: Nominations are voluntary. Information is collected only if an agency decides to nominate a law enforcement officer for exceptional acts of bravery. A separate nomination must be submitted for each law enforcement officer, per incident of bravery.

Nominations will be used only to nominate law enforcement officers for acts of bravery accomplished during a given eligibility period. Each eligibility period runs from January 1st through the following December 31st.

- a. Nominees submit only a single nomination per nomination.
- b. An official online CBOB nomination must be submitted.
- c. The online nomination allows for the attachment of supporting material within certain limitations.
- d. This collection is not part of a statistical survey.
- e. This collection does not require the use of statistical data.
- f. Under the Act, the CBOB Boards shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

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.

Publication:

The 60-Day Notice was published in the Federal Register on September 15, 2023 (88 FR 63629). The comment period ends on November 14, 2023.

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

Payment to Respondents: None.

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

Assurance of Confidentiality: As required by 42 U.S.C. § 15231 note et seq., the recipients of this information “shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.”

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.

Questions of a Sensitive Nature: The Act requires that among other information, each nomination include the nominee’s home address information.

12. Estimate of the Hour Burden: During the 7 years of operation for the CBOB program, there has been an average of thirty-eight (38) Federal nominations, and one hundred twenty-six (126) State and Local nominations received. The process is estimated to take approximately 20 minutes to gather the required information and complete the online form.

- a. Total average number of annual nominations: 164
- b. Number of nominations submitted per respondent: varies
- c. Estimated submission time per nomination: 15 minutes
- d. Total Annual Reporting Burden: $164 \times 15 \text{ minutes per nomination} = 2415 \text{ minutes/}$
by 60 minutes per hour = 41 hours.

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.**

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

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.

Estimate of Annualized Cost to the Federal Government: The primary program point of contact for CBOB is identified to spend 25% of his time, and is assisted by a second full-time employee (FT), who is identified to spend 5% of her time on the operations of this program. The combined total annual expenditure by these two federal employees is estimated to be approximately \$40,750.

15. Program Changes or Adjustments: None.

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.

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OMB Expiration Date: 09/30/2023

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.

Publishing Information: The information collected will not be published.

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.

Approval to not display the OMB Approval: The present information collection request does not seek such an approval.

18. Certification for Paperwork Reduction Act Submission: See attached Certification Statement.

B. STATISTICAL METHODS

This information collection does not employ the use of statistical collection methods.