

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 Bureau of Justice Statistics (BJS) is requesting a 3-year generic clearance to continue its efforts to develop, test, and improve its survey design and data collection instruments (e.g., questionnaires and paper and online surveys) and methodologies for new and ongoing projects. BJS will use different procedures to complete various statistical design and developmental activities, including (but not limited to): pretesting of different types of survey and data collection methodologies; focus groups; cognitive interview activities; pilot testing; field testing; exploratory interviews; experiments with questionnaire design; and usability testing of electronic data collection instruments. BJS requests this clearance to conduct statistical activities associated with various projects, which are listed and described in Question #2.

BJS collects self-reported data directly from respondents through paper and online surveys, via phone, and through in-person interviews and focus groups. BJS respondents include individuals, agencies, and other establishments operating in the law enforcement, courts, corrections (including community corrections), and victimization fields. BJS also acquires and uses administrative records that are maintained by criminal justice agencies as a routine part of their operations.

BJS initiated its first generic clearance in 2013 to support its statistical work and received subsequent approvals from OMB in 2016, 2019, and 2022 to continue using the clearance to complete developmental activities associated with evaluating and improving its survey design and data collection instruments and methodologies. Prior to using a generic clearance, BJS relied on convenience samples of 9 or fewer persons to provide input and feedback on survey design and data collection methodologies or requested full OMB clearance for such methodological work. BJS determined that these approaches resulted in untimely and lengthy delays to the data collection implementation and involved duplicative or additional resources, e.g., staff time and project costs. Additionally, convenience samples do not provide a sufficient basis for conducting

any type of test and do not provide reliable generalizability. The information collected via these methods, while helpful, are inadequate in many situations and limited in their ability to detect and diagnose problems with the instruments and the procedures being tested. This lack of rigor, low reliability, and minimal generalizability would be unacceptable for a federal statistical agency.

The generic clearance is a more effective approach that will continue allowing BJS to take advantage of a variety of statistical methods that have been proven useful and effective for identifying data collection and procedural problems, informing solutions, improving the quality of BJS's data collection instruments and methodologies, and measuring the usability and reliability of the survey design. Additionally, pretesting enables BJS to assess respondent burden and identify how and where it can be reduced through improved data collection procedures and survey design. This clearance is similar to the testing clearances held by other federal statistical agencies, including the Census Bureau, the Bureau of Labor Statistics, the National Center for Education Statistics, and the National Center for Science and Engineering Statistics.

BJS will use various means to collect information to complete a range of statistical activities and methods to support the projects included in this generic clearance. These activities include, but are not limited to –

- Behavior coding – involves applying a standardized coding scheme to the completion of an interview or questionnaire, either by a coder using a recording of the interview or by an in-person observer at the time of the interview. The coding scheme is designed to identify situations that occur during the interview that reflect problems with the questionnaire. For example, if respondents frequently interrupt the interviewer before the question is completed, the question may be too long. If respondents frequently give inadequate answers, this suggests there are some other problems with the question. Quantitative data derived from this type of standardized coding scheme can provide valuable information to identify problem areas in a questionnaire and can be used as a substitute for or as a complement to the traditional interviewer debriefing.

- Cognitive and usability interviews – involve intensive, one-on-one interviews in which the respondent is typically asked to "think aloud" as he or she answers survey questions. A number of different techniques may be involved, including asking respondents to paraphrase questions, probing questions asked to determine how respondents came up with their answers, and so on. The objective is to identify problems of ambiguity or misunderstanding, or other difficulties respondents have answering questions. This is frequently one of the early stages of revising a questionnaire.
- Exploratory interviews – may be conducted with individuals in the very early stages of survey development to better understand a topic area. These interviews may cover discussions related to administrative records (e.g., what types of records, where, and in what format), subject matter, definitions, etc. Exploratory interviews may also be used to investigate whether sufficient issues are present related to an existing data collection to consider a redesign.
- Focus groups – involve group sessions guided by a moderator, who follows a topical outline containing questions or topics focused on a particular issue, rather than adhering to a standardized questionnaire. Focus groups are useful for surfacing and exploring issues (e.g., confidentiality concerns) that people may feel some hesitation about discussing.
- Follow-up interviews or re-interviews – involve re-interviewing or re-assessing a sample of respondents after the completion of a survey or assessment. Responses given in the re-interview are compared with the respondents' initial responses for consistency between responses re-interviews provide data for studies of test–re-test reliability and other measures of data quality. In turn, this information aids in the development of improved, more reliable measures.
- Frame-building and maintenance – involve outreach to update and supplement existing agency rosters to verify and update contact information in advance of initiating data collection activities.
- Interviewer debriefings – employ the knowledge of the employees who have the closest contact with the respondents. BJS will use this method in conjunction with other methods in its field tests to collect information about how interviewers react to the survey

instruments, as well as to explore problems and issues encountered by interviewers during the interview.

- Pilot testing – defined, for purposes of this clearance, as data collection efforts that are conducted among purposive or statistically representative samples for evaluative purposes. BJS conducts pilot testing to evaluate its data collection instruments and/or procedures. Pilot tests are an essential component of this clearance package because they serve as the vehicle for investigating basic item properties for new or redesigned data collection efforts, such as reliability, validity, and difficulty. Pilot tests can also be used to assess the feasibility of methods for standardizing the administration of data collection instruments and to test procedures regarding data procurement as well as comparability of data across sites. BJS will use results from pilot tests to publish research and development (R&D) and methodological reports but will not publish statistical reports or data sets based on the findings.
- Respondent debriefing questionnaires – are administered at the end of the data collection instrument to respondents who have participated in a field test. The debriefing form contains probing questions to determine how respondents interpret the questions and whether they have problems completing the data collection instrument. This structured approach to debriefing enables quantitative analysis of data from a representative sample of respondents, to learn whether respondents can answer the questions, and whether they interpret them in the manner intended by the questionnaire designers.
- Split-sample experiments – involve testing alternative versions of questionnaires, and other collection methods, at least some of which have been designed to address problems identified in draft questionnaires or questionnaires from previous surveys. The use of multiple questionnaires, randomly assigned to permit statistical comparisons, is the critical component here. Data collection can include mail, telephone, Internet, or personal visit interviews or group sessions at which self-administered questionnaires are completed. Comparison of revised questionnaires against a control version, preferably, or against each other, facilitates statistical evaluation of the performance of alternative versions of the questionnaire. Split-sample tests that incorporate questionnaire design experiments are likely to have a larger maximum sample size than field tests using other methodologies. Larger sample sizes will enable the detection of statistically significant

differences and facilitate methodological experiments that can extend questionnaire design knowledge more generally for use in a variety of BJS data collection instruments.

Procedures for Clearance

Prior to initiating any methodological testing described in this clearance, BJS will provide individual clearance packages for each project to OMB that describe the planned work and statistical activities that will be conducted. The package will include a project description, methodological overview, project timeline, the number of anticipated respondents and burden, and cost estimates in addition to copies of the data collection instruments and debriefing materials. These materials may include a set of prototype items showing each item type to be used; the range of topics to be covered by the data collection instrument; and an interview script. BJS will also provide other relevant documentation to support or describe the proposed statistical activities, e.g., different versions of the data collection instrument that will be used for split-sample experiments (either for small group sessions or as part of a field test) or the description and rationale for procedures when conducting a test of alternative procedures.

BJS requests that OMB provide and return to BJS written comments on substantive issues within 10 working days of receipt to allow BJS to respond in a timely manner and avoid delays to its data collections schedules.

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.

BJS anticipates conducting data collection design and methodological work under this generic clearance to support various BJS projects. The projects listed below are those BJS is considering conducting, but it is not intended to be an exhaustive list of all the projects (grouped by major topic area) that may be conducted during the active period of the collection:

BJS Corrections data – Prisons, Jails and Community Corrections

- Survey of Prison Inmates (SPI) - BJS will pursue additional development work for the

upcoming SPI Research and Development (R&D) study in order to cognitively test consent protocols and new questions on the survey using virtual and in-person cognitive interviews with up to 350 prisoners and coordinate and communicate with up to 20 state and federal prison administrators prior to seeking full OMB clearance. The SPI R&D cognitive testing will result in a total expected burden of approximately 305 hours. This is in addition to the field test which was granted clearance under OMB Control Number 1121-0339 in 2024. The central goals of this field test are to (1) examine the feasibility of facilities to support virtual survey administration, (2) test for potential differences in consent to data linkage based on the length of time for which survey responses could be linked to other data sources, and (3) measure the effects of administration mode on sample member participation and data quality. The field test will include a two-stage design. The first stage will include a convenience sample of Departments of Correction (DOCs) and the Federal Bureau of Prisons (FBOP) to participate in this field test, with a total sample of 40 facilities selected based on their resources and capacity to support the research (30 facilities for the primary sample and 10 as potential replacements). The second stage will include a random sample of 100 incarcerated people from each selected facility who will be assigned to either complete the approximately hour-long SPI interview face-to-face with an interviewer on site (50 incarcerated persons) or virtually over a video conferencing platform (50 incarcerated persons). The SPI R&D field test has an estimated burden of 5,290 hours.

- Census of Jails – BJS would like to test the relevance of a Maternal Health addendum for the Census of Jails using 30 jail administrators from a variety of facilities: single-county, regional, multijurisdictional, and private. BJS or contracted data collection agent will contact the respondents for a telephone debriefing after the initial data provision, so the burden for each respondent is estimated at five hours, or 150 hours total.
- National Corrections Reporting Program (NCRP) – BJS plans to conduct interviews with each of the 50 state departments of correction and the BOP to better understand capabilities in reporting for the NCRP. Currently, states vary widely in what data they can provide in the NCRP and how quickly they can get the data to the current data collection agent. BJS will use the information to inform plans on improving speed of data reporting and creating consistency in reporting across states. BJS is projecting two hours for each interview for a total of 102 burden hours.

- National Prisoner Statistics program (NPS-1B) – BJS plans to conduct cognitive testing in several areas, including new survey questions. For example, BJS anticipates that it will need to test several new questions on the NPS-1B form during the next three years, including adding questions on the departments of corrections opioid use disorder testing and treatment, data on sexually violent persons held in state and federal custody under civil commitment statutes, and information on race/ethnicity categories in accordance with SPD-15. To address this, BJS plans to conduct exploratory interviews and cognitive interviews of new questions. These interviews would involve all 51 departments of corrections, for a total of 306 burden hours.

BJS Law Enforcement data

- Census of Publicly Funded Forensic Crime Laboratories (CPFFCL) – BJS has conducted the CPFFCL approximately every 5 years since 2002. The most recent CPFFCL was administered in 2020, and BJS intends to field the CPFFCL in 2025. The CPFFCL is designed to capture information on laboratories’ staffing, budgets, caseload, procedures, and policies regarding evidence analysis and record retention. Historically, the CPFFCL included only publicly funded laboratories that employed one or more full-time scientists with degrees in the natural sciences. For the 2025 CPFFCL, BJS intends to expand the frame and questionnaire to include publicly funded laboratories that process only digital evidence. This will require BJS to conduct a larger frame verification effort to ensure that all eligible labs are included as well as to substantially revise the survey instrument to address the work of digital evidence labs. This revised instrument along with the original instrument will need to be cognitively tested to ensure its relevance, validity, and answerability. The burden estimate for the frame development work is 125 hours, and for the cognitive testing it is 60 hours, for a total estimated burden of 185 hours.
- Law Enforcement Agency Pulse (LEAP) Survey Testing – A larger societal focus on policing and public safety has heightened the importance of data regarding law enforcement agencies (LEAs). This need is reflected in the May 2022 White House Executive Order (EO) 14074, “[Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety](#),” (87 FR 32961) and the subsequent May 2023 National Science and Technology Council report, “[Equity and Law Enforcement Data](#)

[Collection, Use, and Transparency](#)” which both called for improvements across a range of law enforcement issues, including data availability and transparency. To fulfill this demand, BJS is exploring the viability of changing the frequency and types of data collected via the core law enforcement data collections including shortening the period between LEMAS survey administrations from every four years to an annual administration with a shorter instrument. The LEMAS core survey is presently the most systematic and comprehensive source of national data on law enforcement personnel, expenditures and pay, operations, equipment, computers and information systems, and policies and procedures. BJS plans to engage in methodology testing to examine the impact of using different types of samples (e.g., rolling) or different survey administration (e.g., phone). BJS has estimated the maximum total respondent burden for participating in the LEAP methodology testing at 668 hours, with the survey taking approximately 40 minutes to complete and each round of testing including 500 agencies).

- BJS is developing a new survey on digital evidence that will focus on understanding the field of digital evidence analysis and produce national statistics on digital evidence analysis describing the amount and type of work being done, the resources including personnel deployed to conduct digital evidence analysis, and policies and practices of those working in this field. The purpose of this project is to explore how criminal justice entities 1) define digital evidence 2) collect, analyze, and retain digital evidence and 3) use findings acquired from digital evidence and assess its impact on their investigations.. Because this is a new project, BJS will need to engage in significant frame verification effort to ensure that all eligible labs are included as well as to cognitively test and potentially revise the new survey instrument to address the work of digital evidence labs to ensure its relevance, validity, and answerability. The burden estimate for the frame development work is 200 hours, and for the cognitive testing it is 400 hours, for a total estimated burden of 600 hours.
- Firearm Inquiry Statistics (FIST) Program – BJS began the FIST program in 1995 as a means to develop annual national estimates of the total number of firearm transfer and permit applications received and denied pursuant to the Brady Handgun Violence Prevention Act of 1993 (the Brady Act) (Pub. L. No. 103-159, 107 Stat. 1536 (1993), codified as amended at 18 U.S.C. Section 921 et seq.). The Brady Act mandates a criminal history background check on any person who attempts to purchase a firearm from a Federal Firearms Licensee (FFL). The

permanent provisions of the Brady Act established the National Instant Criminal Background Check System (NICS). In 2022, the Bipartisan Safer Communities Act (BSCA) was signed into law. Among other provisions aimed at reducing gun violence, BSCA requires the FBI's National Instant Criminal Background Check System (NICS) to conduct an enhanced background check before any sale or transfer of a firearm to a person under the age of 21 (U21). In addition to the traditional records databases reviewed during a standard background check, these U21 checks involve expanded outreach to state and local officials who may have access to additional disqualifying information. BJS is exploring adding an item to the Firearm Inquiry Statistics (FIST) survey to determine if agencies can provide data on these types of checks. BJS will need to test an updated instrument and update frame information, requiring about 200 hours of burden to do both tasks.

BJS Courts Data

- Census of State Courts (CSC) – The CSC collects information on the overall number of courts and judges in the nation's state courts; the selection and service requirements of judges; the governance, funding and administration of the judicial branch; the jurisdiction, staffing, and procedures associated with the nation's appellate courts; the administration, procedures, and specialized jurisdiction of state trial courts; the composition and workings of state juries; the sentencing context; and the overall structure of appellate and trial courts in each state. BJS plans updates to its data collection methodology and instrument and cognitive testing of those updates, for a total of 50 hours.
- Census of Problem-Solving Courts (CPSC) – The opioid crisis is a pressing issue, and the role of problem-solving courts is vital to addressing the intersection of drugs and crime. While there is anecdotal evidence that most crime handled in state courts includes some tie to drugs, there is little ability to examine this in state court data (e.g., a person steals a television to pawn to support a drug habit; the person is charged with theft or burglary, not a drug crime). One of the easiest targets to examine the intersection of drugs and crime is drug courts. The Census of Problem-Solving Courts in 2012 was a complete enumeration of all types of problem-solving courts: drug, mental health, DWI, juvenile, veterans, and domestic violence courts, among others. The next survey will focus on the

problem-solving courts most likely to address the opioid epidemic, such as drug and veterans courts, and take a deeper look at the types of cases admitted to problem-solving courts, the progress of defendants through those courts, and the success rates for one particular year of those courts. BJS will use a generic clearance to complete frame development, to confirm the number of eligible courts with state and county problem-solving court coordinators. BJS also plans a cognitive test of the survey instrument with at least 30 state- or county problem-solving court coordinators. The total anticipated number of respondents is 30 and the total burden estimate to update the frame and to conduct the cognitive testing is 66 hours.

- Census of Public Defender Offices (CPDO) – CPDO involves the collection of data from all state- and county-funded public defender offices across the country, including offices that are publicly funded but privately operated and offices that handle capital cases only. A variety of data elements are collected in this census, including office expenditures, number and types of cases handled, staffing, funding sources, use of technology, training opportunities, and the adherence to standards and guidelines by the offices. BJS will need to test an updated instrument requiring roughly 58 hours of burden, and update frame information requiring roughly 205 hours, for a total burden of 263 hours.
- Census of Prosecutor Offices (CPO) – CPO will collect basic operational and staffing information from more than 2,330 prosecutor offices in the U.S. Prosecutor offices operate at the county-, district-, or circuit-level. CPO will seek information on staffing and operational characteristics. Staffing includes the number of prosecuting attorneys, demographics of prosecuting attorneys, part- and full-time prosecuting attorneys, and number and type of support staff. Operational characteristics include operating budget, caseload, case-assigning units (e.g., homicide, sexual assault, domestic violence, drugs), and specialized staffing or units (e.g., court-appointed special advocates, victim services providers, law student programs, hate crimes prosecutor). The estimated burden for frame building is 215 hours and 50 hours for cognitive testing. Thus, we anticipate the total burden to be 265 hours.
- Criminal Cases in State Courts (CCSC) – CCSC is a data collection that updates and replaces previous BJS data collections on courts. The population of interest is all felony and serious misdemeanor criminal cases disposed in state criminal courts. Data elements

of interest include a unique defendant identification number, defendant demographics, the mechanism for filing the case in criminal court, the offense type(s) and charge(s) at filing and disposition, legal representation, adjudication information (e.g., plea, trial, dismissal, or other finding), sentencing (if available, type and length of sentence), pretrial release status while case was being processed, and the like. Several jurisdictions that submitted data instituted data use agreements that prohibited directly archiving their data. In efforts to create a publicly accessible dataset, BJS will be constructing a synthetic dataset. Prior to creation of this file, BJS would like to notify the 60 jurisdictions that submitted usable data our intention to create synthetic data analyzable by the public. BJS will send an email explaining what synthetic data are, how it differs from the data that was submitted, and why it can be used to create valid and comparable aggregate estimates to the true data. BJS will provide contact information for follow up, should jurisdictions have any questions. BJS anticipates that the burden per respondent will be 15 minutes for an overall burden of 15 hours for this task. Additionally, BJS would like to follow-up with 10 jurisdictions because of inconsistencies discovered during data processing. BJS anticipates these jurisdictions will need to correct some aspect of their data submission. BJS anticipates the burden to correct the previously submitted data to be 12 hours per jurisdiction for a total of 120 hours. Thus, the total burden for this request is 135 hours.

BJS Law Enforcement Incident-Based Reporting data

- National Law Enforcement Calls For Service (NLECFS) – BJS anticipates pursuing work to address the dearth of empirical information about calls for service (CFS) to law enforcement and what proportion of those CFS are recorded by police as crime incidents. The lack of quantifiable information about CFS results in an inability to accurately describe the workload of police officers, how that workload varies by place over time, and how much of that workload is related specifically to criminal offenses. Development work is needed to (1) identify the proportion of law enforcement agencies that receive CFS through some type of computer-aided dispatch (CAD) system, (2) determine if data from CAD systems can be used to develop an estimate of CFS for the nation, and (3) determine if data from CAD systems can be used to develop a national estimate of how many CFS are subsequently recorded by police as crime incidents. To accomplish these

goals, preliminary work under the generic clearance is needed to survey a sample of about 50 law enforcement agencies, stratified by type and size, to understand the various ways agencies receive and record details about CFS, and to request CAD (or equivalent) technical specifications from a subset of agencies to evaluate methods for collecting CFS data from a nationally-representative sample of law enforcement agencies. The estimated maximum burden hours for 50 respondents to respond to a survey about their CFS and CAD systems and to provide technical specifications for CAD is approximately 200 hours.

BJS Victimization data

- National Crime Victimization Survey (NCVS) and NCVS supplements – BJS may pursue additional research and development work to support the NCVS and NCVS supplemental surveys, including the School Crime Supplement, Police Public Contact Survey, Supplemental Victimization Survey (stalking supplement), Identity Theft Supplement, and Supplemental Fraud Survey. This work includes but is not limited to testing survey items on various types of cybercrime through web panel screening of respondents, cognitive testing, and usability testing. BJS will request a full clearance for administration to NCVS sampled households and eligible respondents if decisions are made to implement revised questions on the NCVS or NCVS supplemental surveys. The total anticipated number of respondents for web panel screening, cognitive and usability testing is 60,210 amounting to approximately 6,710 burden hours.
- National Survey of Victim Service Providers (NSVSP) – BJS plans to pursue development work for the next NSVSP survey. After finalizing a draft instrument, BJS will conduct cognitive testing and usability testing with a small number of victim service providers. After testing is complete, BJS will request full clearance for administration to a sample of victim service providers. The total anticipated number of respondents for cognitive and usability testing is 90 amounting to approximately 90 burden hours.
- National Census of Victim Service Providers (NCVSP) – BJS plans to pursue development work for the next NCVSP survey. After finalizing a draft instrument, BJS will conduct cognitive testing and usability testing with a small number of victim service providers. After testing is complete, BJS will request full clearance for administration to

all victim service providers. The total anticipated number of respondents for cognitive and usability testing is 90 amounting to approximately 90 burden hours.

- Access to Justice Design and Testing Program (AJDTP) – BJS plans to pursue development work prior to conducting a pilot test of the Civil Legal Needs Survey as part of the AJDTP. After finalizing a draft instrument, BJS will conduct cognitive testing and usability testing with a small number of respondents. After testing is complete, BJS will request full clearance for administration of a pilot test with a sample of individuals. The total anticipated number of respondents for cognitive and usability testing is 100 amounting to approximately 100 burden hours.
- Campus Climate Survey (CCS) – BJS plans to pursue development work prior to conducting a pilot test of the Campus Climate Victimization Survey as part of the CCS. After finalizing a draft instrument, BJS will conduct web panel screening to recruit respondents for cognitive testing and usability testing. After testing is complete, BJS will request full clearance for administration of a pilot test with a sample of students attending postsecondary educational institutions. The total anticipated number of respondents for web panel screening, cognitive and usability testing is 5,060 amounting to approximately 250 burden hours.

BJS Prison Rape Elimination Act of 2003 (PREA) data

- PREA Assessment – BJS plans to pursue development work and outreach for the next round of PREA-related data collections (NIS, NSYC, SSV), as mandated by the PREA. Development work and outreach for these surveys is needed under the generic clearance in order to determine whether the current methodology and content is still appropriate or if redesigns are necessary for more successful collections. To do this, BJS wants to consider some or all of the following activities: exploratory interviews, focus groups, cognitive interviews and usability testing, and pilot testing. BJS anticipates up to 20 exploratory interviews resulting in approximately 20 hours of burden, 4 focus group discussions (NIS-prisons, NIS-jails, NSYC-youth facilities, SSV DOCs) including up to 10 participants each resulting in approximately 40 hours of burden, cognitive and usability testing with up to 60 inmates across adult prisons, adult jails, and youth facilities (or recently released persons) resulting in 60 hours of burden, and a pilot test at 12 facilities (3 adult jails, 3 adult prisons, 3 youth facilities) to test data collection operations

and mode of instrumentation. Outreach for recruitment and testing of operations and modality will require 200 hours of burden. Total potential burden for these activities is 320 hours.

Tribal Crime and Justice Program

- BJS plans to pursue developmental work for the tribal crime and justice program. Specifically, BJS plans to conduct cognitive and usability testing for the Census of Tribal Law Enforcement Agencies (60 hours) and the Census of Tribal Courts (60 hours). BJS may pursue a frame update requiring about 60 hours. In total, about 180 hours may be necessary for these tasks.

Consistent with 34 U.S.C. § 10134, BJS will only use data collected in conjunction with projects that are covered under this generic to inform its statistical methodological and design work and will not use individual-level information for enforcement or compliance efforts or to make determinations about benefits. BJS will follow the applicable laws, regulations, policies, and other authorities that govern BJS data, which are summarized in the BJS Data Protection Guidelines (see https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/bjs_data_protection_guidelines.pdf).

Because the data collection instruments being tested under this clearance are still in the process of development, the data that result from these collections are not considered official BJS or other federal statistics. The data will not be made public and will be used only to inform statistical activities and data quality improvement efforts. The data may be used for presentations related to survey methodology at professional meetings or publications in professional journals. BJS will not disclose individual-level information that could result in the identification of a specific respondent, or use the information for compliance, benefits determinations, or enforcement purposes.

- 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.**

When the data collection tools being tested employ automated methods for its data collection, the research conducted under this submission will also use automated data collection techniques. This clearance offers BJS the opportunity to test innovative technologies that may reduce respondent burden, achieve cost efficiencies, improve data quality and reliability, and increase the use of information technology.

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.

This research does not duplicate any other survey design or methodological work being done by BJS or other federal agencies. The purpose of this clearance is to enable and encourage additional research, which would not be done under other circumstances due to time and other resource constraints. This research will involve collaboration with staff from other agencies that are sponsoring surveys conducted by BJS, when applicable. The research may also involve joint efforts with staff from other federal agencies. All efforts will be collaborative in nature, and no duplication in this area is anticipated.

To the maximum extent possible, BJS will make use of existing information and review results of prior evaluations of survey data before revising any data collection instruments. However, this information will provide limited utility and will not be sufficient by itself to refine BJS's data collection instruments without the benefits associated with conducting additional pretesting and research activities covered under this generic clearance.

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

This research will be designed as relatively small-scale data collection efforts to minimize the amount of burden required to improve data collection instruments and procedures, test new ideas, and refine or improve data collection methodologies. The results of the research conducted under this clearance are expected to improve the methods and instruments utilized in full scale

studies and thereby improve information quality while minimizing burden to respondents and costs to the federal government.

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.

This clearance involves data collection research, design, and development activities for each survey or data collection named in the submission. BJS may add, change, or replace projects during the clearance period, but all subsequent activities would comport and comply with the terms of this generic clearance. Absent the ability to complete these statistical activities, BJS would not be able to complete the activities in a timely manner and the quality of the methodological design and data collected in conjunction with the projects would potentially decline. In addition, BJS would not have a reliable way to assess and calculate the precise burden hours and costs associated with its survey and data collection efforts.

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 confidentially to the extent permitted by law.**

All the guidelines listed in the OMB guidelines are met. BJS does not anticipated any 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 Federal Register notice was published on September 23, 2024 (89 FR, No. 184, p. 77545). The 30-day Federal Register notice was published on November 26, 2024 (89 FR No. 228 p. 93349). No public comments have been received.

Consultation with staff from other federal agencies that sponsor surveys conducted by BJS will occur in conjunction with the testing program for the individual survey. BJS may also consult staff from other federal agencies as part of joint research efforts. These consultations would include discussions concerning statistical topics such as potential response problems, clarity of questions and instructions, and other aspects of respondent burden. Additional efforts to consult with potential respondents to obtain their views on the availability of data, clarity of instructions, burden, etc., may be undertaken as part of the testing that is conducted under this clearance.

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

Some of the currently proposed projects involve the use of incentives, and BJS may develop other projects where incentives could be used, in accordance with OMB guidelines. BJS may offer up to \$75 in cash or gift cards for cognitive labs and focus group participation. Incentives are used to compensate respondents for their time and to offset the cost of their participation, such as data and internet usage, and childcare. BJS may also propose incentive experiments in limited cases.

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

Consistent with the confidentiality provisions of 34 U.S.C. § 10231 and 28 C.F.R. Part 22, BJS will only use the information gathered under this clearance for statistical or research purposes and shall collect and report it in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes. All respondents who participate in research under this clearance will be informed that the information they provide may be used only for statistical purposes and may not be disclosed or used in identifiable form. The respondents will also be advised whether their participation is voluntary or mandatory, and BJS will inform respondents that an OMB number is required on the data collection instrument. BJS will communicate this information orally during in-person and telephone interviews and focus groups, in writing on recruitment and survey notification materials and data collection tool(s), and on web forms in a format that allows a respondent to print and retain a copy. All participants involved in cognitive research will be required to affirming their understanding of the voluntary and confidential nature of their participation.

BJS will include either a confidentiality assurance (for collections involving identifiable information) or data use assurance (for collections that do not involve identifiable information) in written correspondence that is sent to data providers and respondents. Program-specific details will be customized, as needed in the assurance.

Confidentiality assurance for BJS collections that involve information identifiable to a private person:

The Bureau of Justice Statistics (BJS) is authorized to conduct this data collection under 34 U.S.C. § 10132 *<or other authority, as applicable>*. BJS, its employees, and its data collection agents will use the information you provide for only statistical or research purposes pursuant to 34 U.S.C. § 10134. BJS will protect and maintain the confidentiality of information identifiable to a private person to the fullest extent under federal law (34 U.S.C. § 10231 and 28 C.F.R. Part 22). Any person who violates these provisions may be punished by a fine up to \$10,000, in addition to any other penalties imposed by law. Further, per the Cybersecurity Enhancement Act of 2015 (6 U.S.C. § 151), federal information systems are protected from malicious activities through cybersecurity screening of transmitted data. For more information on how BJS will use and protect your information, go to

https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/bjs_data_protection_guidelines.pdf.

Data use assurance for BJS data collections that do not obtain information identifiable to a private person:

The Bureau of Justice Statistics (BJS) is authorized to conduct this data collection under 34 U.S.C. § 10132 *<or other authority, as applicable>*. BJS, its employees, and its data collection agents will only use the information you provide for statistical or research purposes pursuant to 34 U.S.C. § 10134, and will protect it to the fullest extent under federal law. For more information on how BJS will use and protect your information, go to

https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/bjs_data_protection_guidelines.pdf.

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.

It is possible that some potentially sensitive questions may be included in data collection instruments that are tested under this clearance. The testing is designed to identify questions that respondents consider to be sensitive, determine the potential sources of sensitivity, and address concerns related to those questions, to the extent possible, before the survey design is finalized and the actual data collection instrument is administered. BJS will include in individual project clearance submissions the justification for any sensitive questions included in a project covered by this generic clearance.

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.**

BJS estimates that the estimated number of people involved in the frame building, exploratory, field test, pilot, cognitive, and focus group work covered by this generic clearance is about 30,000 respondents over the 3-year period, with a total estimated respondent burden of approximately 25,000 hours.

BJS will use a variety of data collection instruments and methods to complete the statistical activities covered under this clearance. The exact number of respondents and the different instruments and their length are not known at this time. BJS will include specific details and burden estimates in its clearance submissions for individual projects.

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 typically no cost to respondents for participating in the research being conducted under this clearance, except for a respondent's time associated with completing the questionnaire or participating in an interview or focus group.

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.

Due to the nature of the generic clearance terms and structure, BJS cannot precisely estimate the actual number of respondents, length of interview(s), and/or mode(s) of data collection for the

work to be conducted under this clearance over the entire 3-year clearance period. Without that information, it is not possible to estimate in advance the cost to the federal government. Costs associated with each individual project will be covered by the statistical unit conducting the research and will be supported with BJS program funding for statistical and research work. BJS will include cost-related information and estimates in the individual project clearance submissions.

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

There is no change in burden proposed from the previously approved clearance.

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.

Due to the nature of this generic clearance, no single project timeline or schedule can be reported at this point. Major activities associated with the scope of work included in this clearance include data collection and methodological design efforts, data analysis and tabulation, and evaluative efforts. BJS will use the project findings to inform its statistical work. The information will not be the subject of estimates or other statistics in BJS reports, though it may be published (at the aggregate level) in research and development reports or be included as a methodological appendix or footnote in a report containing data from a larger data collection effort. The results of this research may also be prepared for presentation at professional meetings or publication in professional journals. BJS anticipates that project schedules will vary, and that work will be conducted more or less continuously throughout the duration of the clearance.

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.

No exemption is requested.

18. Explain each exception to the certification statement.

There are no exceptions to the certification.