1**PAPERWORK REDUCTION ACT SUBMISSION**

Supporting Statement

Agency: U.S. Department of Justice
Civil Rights Division

Title: Reporting Portal for Civil Rights Violations

A. Justification

1. Circumstances of Information Collection: The Civil Rights Division of the U.S. Department of Justice ("CRT" or "the Division") enforces the nation's federal civil rights statutes. Members of the public play a critical role in this effort by reporting civil rights violations to the Division. To facilitate this reporting process, the Division is developing a streamlined Reporting Portal for Civil Rights Violations ("reporting portal" or "form") that saves members of the public time in reporting violations, and improves how the Division responds to those reports. The Division seeks clearance to deploy this reporting portal. The reporting portal fulfills the Division's statutory obligations, and helps further the Division's enforcement of several civil rights statutes:

- Official Misconduct, 18 U.S.C. §§ 241, 242
- The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009
- Federally Protected Activities, 18 U.S.C. § 245
- Criminal Interference with Right to Fair Housing, 18 U.S.C. § 3631
- Damage to Religious Property, 18 U.S.C. § 247
- Trafficking Victims Protection Act (TVPA)
- Freedom of Access to Clinics Entrances Act (FACE)
- Criminal Protection for Voting Rights, 18 U.S.C. § 594
- Americans with Disabilities Act, Title I
- Americans with Disabilities Act, Title II
- Americans with Disabilities Act, Title III
- Rehabilitation Act of 1973
- Civil Rights Act of 1964, Title VII
- Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Civil Rights Act of 1964, Title IV
- Equal Education Opportunities Act of 1974 (EEOA)
- Individuals with Disabilities in Education Act (IDEA)
- Civil Rights Act of 1964, Title VI
- Education Amendments of 1972, Title IX

- Civil Rights Act of 1964, Title II
- Fair Housing Act (FHA)
- Equal Credit Opportunity Act (ECOA)
- Religious Land Use and Institutionalized Persons Act (RLUIPA)
- Servicemembers Civil Relief Act (SCRA)
- Immigration and Nationality Act § 274B
- Civil Rights of Institutionalized Persons Act (CRIPA)
- Violent Crime Control and Law Enforcement Act § 14141
- Omnibus Crime and Safe Streets Act
- Voting Rights Act
- Voting Accessibility for the Elderly and Handicapped Act
- Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)
- National Voter Registration Act (NVRA)
- Genetic Information Nondiscrimination Act (GINA), Title II
- Help America Vote Act (HAVA)
- Civil Rights Acts of 1870, 1957, 1960, & 1964

2. **Purpose and Use of Information:** The information the Division plans to collect using the reporting portal will help the Division fulfill its enforcement responsibilities under the statutes outlined above. The reporting portal will help the Division do this by giving the public a centralized location to provide information necessary to initiate an investigation. The reporting portal will help direct reported submitted by the public to the part of the Division responsible for enforcing the relevant and implicated statute(s). This reporting portal will eliminate the need for the public to discern which specific part of the Division they need to go to in order to report a potential civil rights violation.

3. **Use of Information Technology:** The reporting portal will be an online fillable form that will be available on the Division's webpage. No paper submissions are requested or required.

3. **Efforts to Identify Duplication:** Individual complainants must affirmatively access the online form. Moreover, use of the form is voluntary. If the complainant provides information that suggests that his or her complaint is within the jurisdiction of another federal agency, the reporting portal will suggest that the complainant instead file with those agencies. In addition, because this centralized form replaces the existing, non-centralized reporting system, complainants will report a violation in one centralized place instead of to multiple sections of the Division, which avoids duplicative reports and responses by the Division.

5. **Involvement of Small Entities:** This collection of information does not impact small businesses or other small entities.

6. **Consequences if Information Collection Is Not Conducted or Is Collected Less Frequently:** If this information were not obtained, the Division would be

unable to process and investigate violations as effectively. Moreover, the Division would continue to intake complaints through a largely manual and time-consuming process that limits the resources it can devote towards enforcement.

7. Explanation of Special Circumstances: None of the listed special circumstances are applicable to this information collection.

8. Consultations Outside the Agency: The 60-day and 30-day notice were submitted and published in the Federal Register.

The Division conducted a study with Northeastern University Law School to determine the effectiveness of the current reporting system, and determine what qualities the Division should adopt in the new reporting portal. The study found that a significant percent of potential complainants failed to identify the proper reporting form to complete, which resulted in an inability of the Division to respond properly to civil rights violations.

The Division then consulted with GSA and 18F, who conducted an analysis of the current reporting practice and identified several opportunities to improve the experience for the public and internal staff.

9. Payment to Respondents: The Division does not provide payments or gifts to respondents in exchange for a benefit sought.

10. Assurance of Confidentiality: A separate webpage accessible via link within the introductory slides of the portal will contain a Privacy Act Statement and Release. The body of the webpage will contain the following language:

Privacy Act Statement

The information you provide through this form will help the Department of Justice's Civil Rights Division ("us," "we") enforce the federal civil rights statutes within its authority. In addition to our enforcement efforts, we may use the information you provide on this form for certain routine purposes. These include sharing with:

- a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations;
- a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- a contractor with the Department of Justice who needs access to the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

- a Federal, State, or local law enforcement agency, if we become aware of a violation or potential violation of law or regulation outside the scope of our jurisdiction.
  For a complete list of routine agency uses, please consult the following link: (hyperlink to SORN)

You should also know that:

- Any information you provide to us through this form is voluntary;
- If you choose not to provide the information we ask for on this form, we may not be able to evaluate or take action based on your report.
- We will treat the information you provide on this form confidentially, to the extent we are allowed by the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a).

We are authorized to collect this information pursuant to the following statutes:

- Official Misconduct, 18 U.S.C. §§ 241, 242
- The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009
- Federally Protected Activities, 18 U.S.C. § 245
- Criminal Interference with Right to Fair Housing, 18 U.S.C. § 3631
- Damage to Religious Property, 18 U.S.C. § 247
- Trafficking Victims Protection Act (TVPA)
- Freedom of Access to Clinic Entrances Act (FACE)
- Criminal Protection for Voting Rights, 18 U.S.C. § 594
- Americans with Disabilities Act, Titles I-III
- Rehabilitation Act of 1973
- Civil Rights Act of 1964, Titles II, IV, VI, VII
- Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Equal Education Opportunities Act of 1974 (EEOA)
- Individuals with Disabilities in Education Act (IDEA)
- Education Amendments of 1972, Title IX
- Fair Housing Act (FHA)
- Equal Credit Opportunity Act (ECOA)
- Religious Land Use and Institutionalized Persons Act (RLUIPA)
- Servicemembers Civil Relief Act (SCRA)
- Immigration and Nationality Act § 274B
- Civil Rights of Institutionalized Persons Act (CRIPA)
- Violent Crime Control and Law Enforcement Act § 14141
- Omnibus Crime and Safe Streets Act
- Voting Rights Act
- Voting Accessibility for the Elderly and Handicapped Act
- Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)

- National Voter Registration Act (NVRA)
- Genetic Information Nondiscrimination Act (GINA), Title II
- Help America Vote Act (HAVA)
- Civil Rights Acts of 1870, 1957, 1960, & 1964 describes how information provided to or obtained by the Department of Justice in the course of complaint investigation will be treated by the Department. This document provides a brief overview of the Privacy Act of 1974, 5 U.S.C. § 552a, and the Freedom of Information Act, 5 U.S.C. § 552.

11. Questions of A Sensitive Nature: The Division will use this reporting portal to better enforce the federal statutes identified in A.1. Because these statutes set forth rights that require membership in a protected class, the Division's portal asks complainants for the reason why s/he believes s/he was subject to discrimination. Reporting options include, but are not limited to, race/color, national origin, religion, disability, sex or gender identity, sexual orientation, familial, marital, or parental status, military status, age, genetic information, and immigration/citizenship status. Complainants are not required to provide their status under any of those protected classes (i.e., a complainant who alleges he was discriminated on the basis of race does not need to disclose his actual race).

12. Estimates of Hour Burden: The annual figure for the number of complaints received is a rough estimate derived from historical experience with prior submissions of discrimination allegations. The number of hours per response is an estimate based upon the amount of time a typical user completes the new form. The new form is streamlined and aimed to reduce the hour burden on respondents, which is significantly lower than the current reporting system.

a.	Number of respondents	100,000
b.	Frequency of response	1
c.	Number of hours per response	0.3 hours
d.	Total annual reporting burden	30,000 hours

13. Estimate of Annualized Cost Burden to Respondents: There is no capital or start-up cost associated with this information collection. There is no fee charged to individuals who report a civil rights violation. The cost to such individuals should be $0.

14. Estimate of Annualized Cost to the Federal Government:

a. The capital and start-up cost associated with this information collection is approximately $2,000,000. This is the cost of research, testing, development, and implementation of a new reporting portal.
b. Total estimated annual cost to the Federal government = $117,245.
    i. The annual operation and maintenance costs are approximately $90,000.

ii. The annual collection and process cost equals the Step 1 salary of a GS 12 worker (General Schedule 2019) divided by the numbers of hour per day he or she dedicates to processing and responding to reported violations. One GS 12 worker will dedicate 4 hours each day to processing and monitoring the reporting portal, which equals one half of the total Step 1 salary. Collection and processing cost = $64,490 ÷ 2 = $32,245.

15. Changes in Burden: The reporting portal will be a significant reduction in the general public's burden to report civil rights violations. The reporting portal eliminates a time-consuming, disjointed reporting process, and replaces it with a centralized and streamlined form. Complainants will no longer need to conduct research on which statutes may be implicated and which section of the Division that they should contact; rather the reporting portal will sort complaints and deliver them to the pertinent section for a timely reply and proper enforcement.

16. Time Schedule, Publication and Analysis Plans: The Division does not intend to use statistics or the publication thereof for this collection of information.

17. Display of Expiration Date: The Division will display the expiration date on the reporting portal for OMB approval of this information collection.

18. Exceptions to Certification Statement: The Division does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

This section is not applicable.