

SUPPORTING STATEMENT FOR THE RADIATION EXPOSURE COMPENSATION PROGRAM

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.

§§ 100201-100205 of Pub. L. 119-21 (Jul. 4, 2025) reauthorized the filing of claims under the Radiation Exposure Compensation Act, 42 U.S.C. § 2210 note (“RECA”), and revised existing eligibility criteria for individuals presumed to have been harmed by exposure to radiation from U.S. atmospheric nuclear testing, defense-related and civilian uranium extraction efforts, and Manhattan Project waste disposal. The information collection, consisting of revised standard claim forms and a corresponding electronic filing system, is necessary for individuals to file a claim under 28 C.F.R. § 79.71.

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

The RECA Program, an office within the Civil Division of the U.S. Department of Justice uses the information provided on the information collection to file applications for compensation under RECA as amended, determine entitlement, and identify persons eligible for award.

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.

Under 28 C.F.R. § 79.71, completed RECA claim forms must be mailed to the Department for filing. Before enactment of Pub. L. 119-21, the filing period for RECA claims had expired on June 10, 2024. Pub. L. No. 117-39, 88 Fed. Reg. 3918. No electronic filing was available at the conclusion of the filing period. With reauthorization under Pub. L. No. 119-21, the Civil Division is developing an electronic filing portal consistent with the questionnaires contained in the information collection to reduce burden.

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.

Claims are entered into the Civil Division Case Information Management System using the claimant’s social security number and other personally identifiable information provided on the

form, thereby allowing the RECA Program to identify duplication. The form provides an opportunity for multiple eligible beneficiaries to sign, agreeing to the truth and accuracy of the statements provided, thereby reducing duplicate form submissions by applicants. RECA authorizes only one award per claim, divided equally among eligible persons. 42 U.S.C. § 2210 note, Sections 7(b), 6(c)(4). Accordingly, information must be collected for each individual claim, and each beneficiary.

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

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

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

The filing period under RECA as amended commenced on July 4, 2025, and ends on December 31, 2027. If the collection is not conducted, the Civil Division will be unable to receive and adjudicate applications for compensation.

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.**

There are no special circumstances.

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

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

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

DOJ published this Emergency PRA Approval Request in the Federal Register on July 30, 2025, at 90 FR 35933. Due to the critical time sensitivity of this ICR OMB has agreed to allow for a shorter formal public comment period of ten days.

DOJ will initiate a new PRA process and will seek public comment in the Federal Register prior to the end of the standard 6-month duration of an emergency clearance. We will also consider any comments submitted during the emergency clearance process at that time.

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

Respondents submit the information collection as an application for compensation under RECA. The statements on the information collection are reviewed as part of an administrative record consisting of the claim form and supporting evidence corroborating allegations of employment, presence, and illness. If the totality of evidence meets statutory eligibility criteria, the respondent may be entitled to up to \$100,000. No government funds will be used for gifts to respondents.

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

Respondents are not provided any assurance of confidentiality. Respondents are informed that their information will be treated consistent with the Privacy Act, 5 U.S.C. § 552a. The Civil Division system of record notice, 63 FR 8665 (Feb. 20, 1998), and Routine Use Notice, 66 Fed. Reg. 36593-02 (Jul. 12, 2001) describe management of information associated with this collection.

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

The RECA Program does not ask questions of a sensitive nature as they are not relevant to the statutory eligibility criteria.

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

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

Estimated Annualized Respondent Cost and Hour Burden

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
RECA Claim Form	70,000	1	35,000	2.5 hrs	87,500 hrs	\$7.25 (FLSA federal minimum)	\$634,375.00

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Unduplicate d Totals	70,000	1	35,000	2.5 hrs	87,500 hrs	\$7.25	\$634,375.00

Hourly rate source citation or you may enter a footnote:

29 U.S.C. § 206(a).

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 are/are no start up costs associated with this collection for the respondent.

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.

The Civil Division estimates that the Federal Government will incur costs associated with this collection starting in FY 2025. Under 28 C.F.R. § 79.71, completed RECA claim forms must be mailed to the Department for filing. Before enactment of Pub. L. 119-21, the filing period for RECA claims had expired on June 10, 2024. Pub. L. No. 117-39, 88 Fed. Reg. 3918. No electronic filing was available at the conclusion of the filing period. With reauthorization under Pub. L. No. 119-21, the Civil Division is developing an electronic filing portal consistent with the questionnaires contained in the information collection to reduce burden. The Civil Division's cost estimates include amounts to develop and maintain the new electronic filing system; the annual salaries of IT specialists who will monitor and maintain the claims system; the annual salaries of claim examiners who will be reviewing the collected information; the IT contractor costs associated with maintaining the claims system; the annual salary of a Records and Information Specialist who will maintain the Division's records associated with this form; an annual records and storage contract; and contractor document management technicians responsible for intake and claims processing. The Civil Division estimates the following costs to the federal government:

- FY 2025 - \$6.5 million
- FY 2026 - \$10.0 million
- FY 2027 - \$9.3 million

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

Amendments to RECA under Pub. L. No. 119-21 reauthorized claims under RECA, significantly expanded the eligible populations, and limited the claim filing period to December 31, 2027. These changes increased the annual burden resulting from this collection as newly eligible populations must file by the December 31, 2027 deadline to be considered for compensation.

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.

This collection 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.

The Department requests a waiver for the display of an expiration date on the information collection. The forms will be distributed publicly before an electronic filing system becomes operational. It would be virtually impossible to revise expiration dates on those forms already distributed to the public. Furthermore, the Act now authorizes filing of radiation claims through 2027, and it is expected that claim forms may be revised before then due to regulatory and statutory revisions. Without approval to waive the expiration date, applicants may be unfairly confused by forms already distributed, and the federal government would have to bear

[Claims under the Radiation Exposure Compensation Act]

OMB Control Number 1105-0052

OMB Expiration Date: waiver requested

unnecessary printing costs. OMB previously approved our request to waive the display of the expiration date on this collection.

18. Explain each exception to the certification statement.

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

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does not contain statistical data.