



DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

[OMB Number 1110-0043]

Agency Information Collection Activities; Proposed eCollection eComments Requested;

Reinstatement, without change, of a previously approved collection for which approval has expired

AGENCY: Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division.

The National Instant Criminal Background Check System (NICS) Voluntary Appeal File (VAF) Brochure and the online application process.

ACTION: 30-day notice.

SUMMARY

The Department of Justice (DOJ), Federal Bureau of Investigation (FBI), Criminal Justice Information Services (CJIS) Division will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: The Department of Justice encourages public comment and will accept input until [INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]

FOR FURTHER INFORMATION CONTACT: If you have comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact the Federal Bureau of Investigation, Criminal Justice Information Services Division, National Instant

Criminal Background Check System Section, Module A-3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, or e-mail NICS@fbi.gov Attention: OMB PRA 1110-0043

Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC, 20503. Additionally, comments may be submitted via e-mail to OIRA_submission@omb.eop.gov.

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or

other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

- (1) *Type of Information Collection:* Reinstatement, without change, of a previously approved collection for which approval has expired
- (2) *Title of the Form/Collection:* The National Instant Criminal Background Check System (NICS) Voluntary Appeal File (VAF) Brochure and the online application process.
- (3) *Agency form number:* 1110-0043
- (4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Potential firearm purchasers. If a potential purchaser is delayed or denied a firearm and successfully appeals the decision, the NICS Section cannot retain a record of the overturned appeal or the supporting documentation. If the record is not able to be updated or the fingerprints are non-identical to a disqualifying record used in the evaluation, the purchaser continues to be delayed or denied, and if that individual appeals the decision, the documentation/information (e.g., fingerprint cards, court records, pardons, etc.) must be resubmitted for every subsequent purchase. The VAF was established per 28 C.F.R., Part 25.10(g), for this reason. By this process, applicants can

voluntarily request the NICS Section maintain information about themselves in the VAF to prevent future extended delays or denials of a firearm transfer.

- (5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated the time it takes to read, complete, and upload documents is 30 minutes. Travel time to the fingerprinting facility and post office is not factored in the time estimate. The NICS Section estimates 4,000 respondents yearly.
- (6) *An estimate of the total public burden (in hours) associated with the collection:* With 4,000 applicants responding, the formula for applicant burden hours would be as follows: $(4,000 \text{ respondents} \times .5 \text{ hours}) = 2,000 \text{ hours}$.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street, NE, Suite 3E.405B, Washington, DC 20530.

Dated: June 7, 2019.

Melody Braswell,

Department Clearance Officer for PRA,

U.S. Department of Justice.

Billing Code: 4410-02

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