

**Department of Justice Retrospective Review Status Report
January 2014**

Agency/ Component	RIN/OMB Control Number	Title of Initiative/ Rule	Brief Description	Target Completion Date	Anticipated Savings in cost and/or information collection burdens	Progress Updates and Anticipated Accomplishments
Regulations under Retrospective Review						
Department of Justice/Bureau of Alcohol, Tobacco, Firearms, and Explosives	RIN 1140-AA42	Importation of Arms, Ammunition and Implements of War and Machine Guns, Destructive Devices, and Certain Other Firearms; Extending the Term of Import Permits	Final rule amending the regulations of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to extend the term of import permits for firearms, ammunition, and defense articles from 1 year to 2 years.	2014	If the term of an import permit was extended to 2 years, ATF estimates that the number of permit applications would be reduced by half (4,500), resulting in annual industry savings of approximately \$59,625 and agency savings of \$571,320, and a saving of 2750 hours in paperwork/reporting.	OMB has agreed that this rule is non- significant under Executive Order 12866 and has waived review.
Department of Justice/Bureau of Alcohol, Tobacco, Firearms, and Explosives	RIN 1140-AA45	Importation of Arms, Ammunition and Implements of War--Removal of Certain Defense Articles on the U.S. Munitions Import List	Interim final rule amending existing regulations to remove those defense articles currently on the United States Munitions Import List (USMIL) that no longer warrant import control under the Arms Export Control Act. The determinations were made with the concurrence of the Departments of State and Defense.	2014	ATF believes that removing these items from the USMIL will result in substantial cost and time savings for both ATF and industry, without affecting national security. The interim final rule will reduce burden on the industry by removing subcategories from the regulatory list and modifying categories to limit items regulated under them. Industry will no longer be required to complete ATF Form 6 when importing these items that are being removed from the USMIL. ATF estimates that a Form 6 takes approximately 30 minutes to complete and \$0.46 to mail. If the interim final rule reduces the need to file 300 forms, there is a reduction of 150 burden hours and a \$138 in costs to the industry.	OMB has completed its review of this interim final rule under Executive Order 12866.

**Department of Justice Retrospective Review Status Report
January 2014**

Department of Justice/ Executive Office for Immigration Review	RIN 1125-AA71	Retrospective Regulatory Review Under E.O. 13563 of 8 CFR Parts 1003, 1103, 1211, 1212, 1215, 1216, 1235	Advance notice of future rulemaking concerning appeals of DHS decisions (8 C.F.R. part 1103), documentary requirements for aliens (8 C.F.R. parts 1211 and 1212), control of aliens departing from the United States (8 C.F.R. part 1215), procedures governing conditional permanent resident status (8 C.F.R. part 1216), and inspection of individuals applying for admission to the United States (8 C.F.R. part 1235).	2013	We cannot estimate the anticipated savings until we get feedback from the public on what the particular revisions should entail.	The ANPRM was published on 9/28/2012. The public comment period closed on 11/27/2012. EOIR is currently in the process of reviewing the comments received and drafting two follow-up NPRMs.
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Reducing Reporting and Paperwork Burdens

Department of Justice/Bureau of Alcohol, Tobacco, and Firearms	OMB 1140-0003	Electronic ATF Form 3310.4 - Report of Multiple Sale or Other Disposition of Pistols and Revolvers	Information collection on ATF 3310.4 must be completed by a licensee whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols or revolvers totaling two or more, to an unlicensed person. By linking this form with the electronic Form 4473, the majority of the form will self-populate with the information provided in the electronic Form 4473. As a result, it will take less than a third of the time to complete the multiple sales form when completed electronically.	November 2012	The current estimated total responses are 198,424 and the current total annual burden hours are 49,606. If 10% of the forms are electronically completed, there will be a reduction in burden hours from 49,606 to 46,292 (reduction of 3,314). It will also result in approximately \$38,240 in savings to the industry. The estimated cost savings is based on the cost of fewer stamps.	This initiative is complete and is now in place.
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**Department of Justice Retrospective Review Status Report
January 2014**

Department of Justice/Bureau of Alcohol, Tobacco, and Firearms	OMB 1140-0015	eForm 5 – Application for Tax Exempt Transfer and Registration of Firearms (2012R-6T)	Currently, there is no electronic version of the Form 5 (5320.5) that is required to apply for the tax exempt transfer and registration of a National Firearms Act (NFA) firearm.	December 2012	ATF estimates that there are 10,500 respondents and an estimated burden of 8,925. With the electronic version of this collection, the burden is estimated to reduce to 6,562.5 (reduction of 2,362.5 burden hours), with approximately \$38,509 in savings to the industry. The estimated cost savings is based on the cost of fewer stamps.	This initiative is complete and is now in place. It went live July 31, 2013.
Department of Justice/Bureau of Prisons		FOIA Status Tracking	The Federal Bureau of Prisons (BOP) developed a FOIA status tracking application to reduce the paper burden for both the public and BOP staff. The application is available via the BOP's public website, www.bop.gov and enables the public to receive an electronic status update as to where their FOIA request is in the queue. The public benefits from the instant status access as the program eliminates the need to mail in status requests, compose email status requests, and attempts to phone for status requests during business hours.	September 2012	30,000 hours of paperwork/reporting eliminated	This initiative is complete and is now in place. It went live September 12, 2012.

**Department of Justice Retrospective Review Status Report
January 2014**

Department of Justice/Executive Office for Immigration Review		Electronic Submission of 1125-0005: Notice of Entry of Appearance before the Immigration Court (Form EOIR-28	An attorney or representative must file a Notice of Entry of Appearance as Attorney or Representative Before the Immigration Court (Form EOIR-28) to notify the Immigration Court of the representation. If this form is submitted electronically, the data required to complete the Form EOIR-28 may be automatically drawn from the data entered into the Registry system.	FY 2013	12,421 hours of paperwork/reporting eliminated. The projected cost savings to the government is not yet known. There are 165,614 annual submissions of this form; as this form is a notice of appearance before the immigration court, EOIR estimates that the majority of respondents file this form in person at the immigration court. EOIR conservatively estimates that 20% of these annual respondents, or 33,122.8, would file this form electronically, resulting in aggregate cost savings to the public of \$14,905.26 savings in postage and \$6,624.56 savings in printing costs.	
Department of Justice/Executive Office for Immigration Review		Electronic Submission of 1125-0006: Notice of Entry of Appearance as Attorney or Representative before the Board of Immigration Appeals (Form EOIR-27)	An attorney or representative must file a Notice of Entry of Appearance as Attorney or Representative Before the Board of Immigration Appeals (Form EOIR-27) to notify the Board of Immigration Appeals of the representation. If this form is submitted electronically, the data required to complete the Form EOIR-27 may be automatically drawn from the data entered into the Registry system. EOIR began accepting electronic submission of Forms EOIR-27 as of June 10, 2013.	June 2013	2,165 hours of paperwork/reporting eliminated. The projected savings to the government is not yet known. There are 28,868 annual submissions of this form; as this form is a notice of appearance before the Board of Immigration Appeals, located in Falls Church, VA, EOIR estimates that the majority of respondents file this form using the postal service. EOIR conservatively estimates that 90% of these annual respondents, or 25,981.2, would file this form electronically, resulting in aggregate cost savings to the public of \$11,691.54 savings in postage and \$5,196.24 savings in printing costs	

**Department of Justice Retrospective Review Status Report
January 2014**

<p>Department of Justice/Executive Office for Immigration Review</p>		<p>Electronic Submission of 1125-0001: Application for Cancellation of Removal: Form EOIR-42A (Application for Cancellation of Removal for Certain Permanent Residents) and Form EOIR-42B (Application for Cancellation of Removal and Adjustment of Status for Certain Nonpermanent Residents)</p>	<p>This information collection is necessary to determine the statutory eligibility of individual aliens who have been determined to be removable from the United States for cancellation of their removal, as well as to provide information relevant to a favorable exercise of discretion.</p>	<p>FY 2017</p>	<p>29,881 hours of paperwork/reporting eliminated. The projected savings to the government is not yet known. There are 25,627 annual submissions of this form; as this form requires submission of documentary evidence, EOIR estimates that the majority of respondents file this form in person at the immigration court. EOIR conservatively estimates that 20% of these annual respondents, or 5,125.4, would file this form electronically, resulting in aggregate cost savings to the public of \$2,306.43 savings in postage and \$6,663.02 savings in printing costs.</p>	
<p>Department of Justice/Executive Office for Immigration Review</p>		<p>Electronic Submission of 1125-0002: Notice of Appeal from a Decision of an Immigration Judge (Form EOIR-26)</p>	<p>A party affected by a decision of an Immigration Judge may appeal that decision to the Board, provided the Board has jurisdiction pursuant to 8 C.F.R. 1003.1(b). An appeal from an Immigration Judge's decision is taken by completing the Form EOIR-26 and submitting it to the Board.</p>	<p>FY 2017</p>	<p>1,920 hours of paperwork/reporting eliminated. The projected savings to the government is not yet known. There are 19,201 annual submissions of this form; as this form is a notice of appeal that must be filed with the Board of Immigration Appeals, located in Falls Church, VA, EOIR estimates that the majority of respondents file this form using the postal service. EOIR conservatively estimates that 90% of these annual respondents, or 17,280.9, would file this form electronically, resulting in aggregate cost savings to the public of \$7,776.41 savings in postage and \$10,368.54 savings in printing costs</p>	

**Department of Justice Retrospective Review Status Report
January 2014**

<p>Department of Justice/Executive Office for Immigration Review</p>		<p>Electronic Submission of 1125-0003: Fee Waiver Request Form (Form EOIR-26A)</p>	<p>The information on the fee waiver request form is used by the Board of Immigration Appeals to determine whether the requisite fee for a motion or appeal will be waived due to an individual's financial situation.</p>	<p>FY 2017</p>	<p>1,194 hours of paperwork/reporting eliminated. The projected savings to the government is not yet known. There are 5,970 annual submissions of this form; as this form is a notice of appeal that must be filed with the Board of Immigration Appeals, located in Falls Church, VA, EOIR estimates that the majority of respondents file this form using the postal service. EOIR conservatively estimates that 90% of these annual respondents, or 5,373, would file this form electronically, resulting in aggregate cost savings to the public of \$2,417.85 savings in postage and \$537.30 savings in printing costs.</p>	
<p>Department of Justice/Executive Office for Immigration Review</p>		<p>Electronic Submission of 1125-0012: Request for Recognition of a Non-profit Religious, Charitable, Social Service, or Similar Organization (Form EOIR-31)</p>	<p>This information collection is necessary to determine whether the organization meets the regulatory and relevant case law requirements for recognition by the Board as a legal service provider, which then would allow its designated representative or representatives to seek full or partial accreditation to practice before EOIR and/or the Department of Homeland Security.</p>	<p>FY 2017</p>	<p>44 hours of paperwork/reporting eliminated. The projected savings to the government is not yet known. There are 105 annual submissions of this form; as this form is a request for recognition that must be filed with the Board of Immigration Appeals, located in Falls Church, VA, EOIR estimates that the majority of respondents file this form using the postal service. EOIR conservatively estimates that 90% of these annual respondents, or 94.5, would file this form electronically, resulting in aggregate cost savings to the public of \$42.53 savings in postage and \$28.35 savings in printing costs.</p>	