

Supporting Statement A
Suspicious/Criminal Activity Tip Reporting
OMB No. 1653 - NEW

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 Homeland Security Investigations (HSI) tip reporting capability will facilitate the collection of information from the public and law enforcement partners regarding allegations of the more than 400 crimes enforced by the Department of Homeland Security (DHS). It is anticipated that this new capability will reduce the amount of time required to document, analyze, and route tips to the appropriate action office. This collection of information is being established as a tool to identify individuals and/or businesses and organizations and actions that violate immigration and customs laws. The collection of this information is authorized by various statutes and regulations authorizing DHS to enforce the immigration and customs laws of the United States. The most overarching of these are 8 U.S.C. §1357, 19 U.S.C. 1589a, and 31 U.S.C. §5316.

- 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 information will be collected from members of the public and law enforcement partners who will provide the requested information using fill-in-the-blank forms available on the DHS.GOV and ICE.GOV websites and verbally via the tip line. Once completed, the HSI Tip form will be electronically transmitted to Law Enforcement Specialists (LES) at the Homeland Security Investigations Tip-line unit. LES's conduct queries in DHS and other databases, analyze the results, write investigative reports, and then refer the leads to the DHS office with geographic and programmatic responsibility for the crimes being reported. Receiving offices use the information provided to conduct investigations and other enforcement actions in support of the DHS goals and objectives. Once the Bulk Cash Smuggling Contact form is completed and transmitted back the agency by the individual it is received by a Special Agent (SA) or Criminal Research Specialist (CRS) at the National Bulk Cash Smuggling Center (BCSC). SA's or CRS's will query DHS and other databases,

analyze the results, write investigative reports, and then refer the leads to the DHS office with geographic responsibility to conduct an investigation and any other enforcement action. Information taken from the tip line callers is analyzed by tip line specialists and then forwarded to the most appropriate program for follow up action.

- 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.**

During fiscal year 2010, more than 184,000 calls were received by ICE from individuals who wished to provide tips to the agency. Many of the callers experienced delays before they could speak with an LES in order to provide their tip information. Realizing that establishing a standard tip line would not provide an adequate method of intake of tip information, ICE decided to also implement the internet-based reporting capability. It is anticipated that the internet-based reporting capability will eliminate delays and reduce frustration resulting from long wait times. The Bulk Cash Smuggling Center is anticipating that the use of the internet-based reporting will not only eliminate delays for individuals who want to report illegal activity, will also speed their ability to act upon investigating the information received thus enhancing their operational capability.

- 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 2 above.**

It is anticipated that the DHS – ICE internet reporting capability will eliminate the need for other programmatic reporting tools currently available on the internet. This will make it easier for the public and our law enforcement partners to access a single portal to report allegations of crimes enforced by DHS. Although tip information will remain available via a toll free phone number, it is anticipated that the internet-based reporting system will make it easier for the public to report crimes and it will also make it more efficient for DHS to use the tip information to protect our national security and other critical DHS missions.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

The impact on a small business or entity is negligible. The information collected is voluntary, done on a one-time basis, and takes minimal time to complete. We anticipate

that businesses of all sizes will welcome the opportunity to more efficiently report crimes that negatively impact all businesses.

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.

If the proposed information collection is not conducted, DHS will be less able to protect the Homeland from terrorist attacks and other national security related crimes. As noted in the 9/11 Commission Report, terrorist attacks have resulted from our inability to collect, analyze, and appropriately share intelligence information. The proposed information collection will allow DHS to more effectively accomplish its core mission of preventing terrorist attacks. Since the use of this system is completely voluntary, there are no known legal obstacles and the burden will be very small.

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 a 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 confidentiality to the extent permitted by law.**

The special circumstances contained in item 7 of the Supporting Statement are not applicable to this information collection.

- 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.

On, April 14, 2011, ICE published a notice in the Federal Register at 76 FR 20997, soliciting public review and comment for a 60 day period on the proposed new information collection. ICE received no comments during this period. On June 22, 2011, ICE published a follow up notice in the Federal Register at 76 FR 36563, soliciting public review and comment for an additional 30 day period on the proposed new information collection.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

ICE has authority under 19 U.S.C. §1619 and other laws to pay for information and evidence in support of investigations of crimes being conducted. However, providing tip information does not guarantee the respondents will be compensated in any way.

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

The use and potential sharing of information in this collection is covered by the Alien Criminal Response Information Management (ACRIME) System of Records. Notice of this system of records was published in the Federal Register at 75 FR 8377. DHS also completed a Privacy Impact Assessment under that same title (ACRIME) for this information collection on April 22, 2010.

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 person's form whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

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. Generally, 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 and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- 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.

Annual Reporting and Cost Burden

Estimated Annual Hour and Cost Burden to Respondents							
Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Homeland Security Investigations Tip Form	66,000	1	66,000	0.16 (10 min.)	10,560 hrs.	\$10	\$105,600
Bulk Cash Smuggling Center Contact Form	20	1	20	0.16 (10 min.)	3.2 hrs.	\$10	\$64
Suspicious Activity Tip Line	118,000	1	118,000	0.10 (6 min.)	11,800 hrs.	\$10	\$118,000
Total	184,020		184,020		22,363.2		\$223,664

For the Homeland Security Investigations and Bulk Cash Smuggling Center Contact forms respectively, ICE personnel have tested the forms to estimate the average time it would take a respondent to complete the form and submit it to the agency. For the Suspicious Activity

Tip phone line, ICE is using the average length of calls it receives from the public when contacting the agency to report suspected or actual criminal activity.

13. Provide an estimate of the total annual cost burden to respondents or record keepers 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 services 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 no record keeping, capital, start-up or maintenance costs associated with this information collection

14. Provide estimates of 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), and 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 in a single table.

Annualized Cost Analysis:

a. Printing Cost:	\$0
b. Collecting and Processing:	\$2,426,304
c. Total Cost to Program:	\$2,426,304
d. Fee Charge:	\$0
e. Total Annual Cost to Government	\$2,426,304

Government Cost

The estimated cost of the program to the Government is calculated by determining the estimated number of tips (184,020), multiplying by the number of minutes (30) needed to process the average tip report, to determine the total number of work minutes (5,520,600), divided by 60 in order to determine the total number of work hours (92,010), multiplied by the hourly salary for a GS-11 step 1 (\$26.37), to determine the total cost to the government (\$2,426,304).

- 15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

There has been no increase or decrease in the estimated annual burden hours as this is a new information collection.

- 16. For collections of information whose results will be published, outline plans for tabulation, 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.**

ICE does not intend to employ the use of statistics or the publication thereof for this information collection.

- 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.**

ICE will display the expiration date for OMB approval of this information collection.

- 18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.**

ICE does not request an exception to the certification of this information collection.