

SUPPORTING STATEMENT

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

This form is an application from local law enforcement entities to the Treasury Department to request a percentage of proceeds or tangible property that has been seized/forfeited by the federal government.

2. USE OF DATA

The information on form TD F 92-22.46 is used to evaluate a request for asset sharing by a local, county, state or law enforcement agency that participated in a Treasury investigation.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

The collection of information does not involve the use of automated, electronic, or other technological collection techniques.

4. EFFORTS TO IDENTIFY DUPLICATION

We have attempted to eliminate duplication within the Department wherever possible.

5. METHODS TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES

We have requested information that will provide for the evaluation of the requestor's application for asset sharing.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION ON FEDERAL PROGRAMS OR POLICY ACTIVITIES

Delays would occur in the payment of asset sharing to those law enforcement entities entitled to it.

7. SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN CFR 1320.5(D)(2)

None applicable.

8. **CONSULTATION WITH INDIVIDUALS OUTSIDE OF THE AGENCY ON AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, CLARITY OF INSTRUCTIONS AND FORMS, AND DATA ELEMENTS**

We received no comments in response to the Federal Register Notice FR 79 62709 dated October 20, 2014. In addition, Treasury law enforcement personnel routinely meet with local, county, state and federal agency personnel in joint law enforcement situations and would have ample opportunity to advise this office if there were any concerns regarding the asset sharing application forms.

9. **EXPLANATION OF DECISION TO PROVIDE PAYMENT OR GIFT TO RESPONDENTS**

Not applicable.

10. **ASSURANCE OF COFIDENTIALITY OF RESPONSES**

Reponses remain a part of the public record and may be made available under the Freedom of Information Act.

11. **JUSTIFICATION OF SENSISTIVE QUESTIONS**

No personally identifiable information (PII) is collected.

12. **ESTIMATED BURDEN OF INFORMATION COLLECTION**

The burden is as follows:

<u>Number of Responses</u>	<u>Time per Responses</u>	<u>Total Hours</u>
7,000	30 Minutes	3,500

Approximately 1000 agencies (respondents) sending in 7 forms a year on average yields 7,000 responses.

Estimates of the annualized cost to respondents for the hour burdens shown are not available at this time.

13. **ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS**

As suggested by OMB, our Federal Register notice of October 20, 2014, requested public comments on estimates of cost burden that are not captured in the estimates of burden hours, i.e., estimated of capitol start-up costs and costs of operation maintenance, and purchase of services to provide information. However, we did not receive any responses from taxpayers or others on this subject. As a result, estimates of the costs burdens are not available at this time.

14. **ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT**

There is no direct cost to the federal government. However, the form is utilized as part of the equitable sharing package.

15. **EXPLAIN THE REASONS FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN 13 OR 14 OF THE OMB**

There is one proposed change to the form. Under I Seizing Agency (For Treasury Forfeiture Fund Participating Agency Use Only). The fields Case Type: Adoption or Joint will be removed from the form.

The decrease in the expected number of respondents from 5000 to 1000 is still based on the number of payment disbursements. However, data was recently analyzed and made available and we were able to provide an estimate of the number of times a specific group of agencies/payees received a payment. As stated in the *Department of the Treasury Guide to Equitable Sharing for Federal, state and Local Law Enforcement Agencies*, after a seizure in a joint investigation the participating state or local law enforcement agency may request a share of the forfeited assets by submitting the Treasury Form TD F 92-22.46 to the investigative agency completing the forfeiture.

This information collection is being submitted for extension purposes only. There is no change to the previously approved burden for this form.

16. **PUBLICATION OF INFORMATION COLLECTION RESULTS**

Not applicable.

17. **APPROVAL TO NOT DISPLAY THE EXPIRATION DATE ON THIS FORM**

We believe the public interest will be better served by not printing an expiration date on the form. Printing the expiration date on the form will result in increased costs because of the need to replace inventories that become obsolete by passage of the expiration date each time OMB approval is required. Without printing the expiration date, supplies of the form could continue to be used.

Not printing the expiration date on the form will also avoid confusion among users who may have identical forms with different expiration dates in their possession. For the above reasons, we request authorization to omit printing the expiration date on this form and permission to use previous versions of TD F 92-22.46.

18. **EXPLAIN EXCEPTIONS TO THE CERTIFICATION STATEMENT IDENTIFIED AT ITEM 19**

Not applicable.