

Changes to Form USM-3A – May 2016

1. Changed question 24 to the following wording: 24. Non-USMS SPONSORING AGENCIES - I understand that SpDUSM, acting under the authority of their federal deputation, may only conduct electronic surveillance in non-USMS investigations in strict adherence to federal and state law, and United States Department of Justice policy, and only with the explicit approval and under the supervision, control and scope of authority of the non-USMS sponsoring agency, whose responsibility it is to ensure that all ELSUR conducted by its sponsored SpDUSM personnel is conducted lawfully and consistent with United States Department of Justice policy. SpDUSM may not conduct electronic surveillance pursuant to their SpDUSM authority on non-sponsoring agency cases. Violation of these proscriptions will result in this special deputation being revoked.
2. Moved question 24 to question 21 and moved former Questions 21 through 23 downward.
3. Updated the address on the second to last paragraph on page 3 because the mailing address for our agency has changed.

Changes to Form USM-3C – May 2016

1. Updated the address on the second to last paragraph on page 3 because the mailing address for our agency has changed.

We believe that these changes are non-substantive because the change to what is now Question #21 is a yes/no question simply asking the sponsoring agency to acknowledge this requirement. Per 5 CFR 1320.3(h), one of the categories that is not deemed a collection of information and is therefore exempt from the PRA:

“Affidavits, oaths, affirmation, certifications, receipts, changes of address, consents, or acknowledgements.” – and to ask the user to check yes/no to acknowledge this question has already been recognized, according to the statute above, as not putting any substantial burden on the persons completing the form.

The other changes – switching the order of questions and correcting our mailing address, are non-substantive because they are merely administrative changes.