

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
OMB # 1140-XXXX
Reactivation Suitability Request - ATF Form 3252.5

A. JUSTIFICATION

1. Necessity of Information Collection

The Office of Field Operations, Special Operations Division, oversees and manages ATF's Confidential Informant (CI) Program. ATF Special Agents (SAs) and Task Force Officers (TFOs), also identified as CI handlers, utilize CIs to assist in investigating criminal activity. Since the use of a CI is a sensitive matter and requires the association of CI handlers with individuals whose motivations may be suspect or ultimately challenged by courts, this investigative technique is carefully controlled and closely monitored. A CI can be utilized after properly identifying, documenting, and receiving approval from the Special Agent in Charge (SAC) or his/her designee. Once approved, the individual is registered as an active CI.

The Department of Justice (DOJ), Attorney General's Guidelines Regarding the Use of Confidential Informants or (the Guidelines) subparagraph II, A. 1. Initial Suitability Determination, mandate that an initial suitability report and recommendation must be completed. In addition, subparagraph II, B., Registration, mandates that the CI's official file shall, at a minimum, include a photograph of the CI, validation of the CI's identity, the CI's criminal history report, the initial suitability report and recommendation, and any promises or benefits given the CI. ATF will use the Initial Suitability Request - ATF Form 3252.4 for this purpose. When a former CI is reinstated, the process is very similar. The CI handler will use the Reactivation Suitability Request - ATF Form 3252.5 for this purpose.

2. Needs and Uses

The information provided on ATF Form 3252.5 will be collected and maintained by ATF's Office of Field Operations. The purpose of the collection is to document a potential CI's information, in order to make an adjudicative determination regarding the individual's suitability to be reinstated as a CI. The form will specifically address the individual's personally identifiable information, immigration information (if applicable), residential, employment, educational information, criminal history and conduct information, the type of information the individual previously provided as a CI, and information that addresses the individual's suitability.

ATF Form 3252.5 will also be used to record the suitability determination for the individual to be reinstated as a CI for ATF.

3. Use of Information Technology

ATF Form 3252.5 will be a fillable and accessible form that will be made available to CI handlers on the ATF intra-web. However, the form will be unavailable to the wider public via the ATF website. The CI handler will complete the form by entering all of the information when interviewing the potential CI. The CI handler will complete the form in preparation for review and an adjudication determination will be made by the SAC or his/her designee. The form will subsequently be deemed complete when all information is provided, and the form is electronically signed and dated by the CI handler. The CI handler will be required to complete and sign the form electronically. After completion, the form and all required attachments (as indicated on the form) will be scanned and stored electronically as a .pdf file in the CI's record within ATF's Confidential Informant Master Registry and Reporting System (CIMRRS).

The suitability determination will be made electronically within CIMRRS. If CIMRRS is not readily available for any reason, the ATF Form 3252.5 will be used to record the recommendation made by the Resident Agent in Charge (RAC) or Group Supervisor (GS), and the final decision of the SAC or his/her designee. Under these circumstances, the RAC or GS, and SAC or his/her designee must sign and date the form electronically.

4. Efforts to Identify Duplication

ATF uses a uniform subject classification system for forms to identify duplication and to ensure that any similar information already available cannot be used or modified for use for the purpose of this information collection.

5. Minimizing Burden on Small Businesses

This collection of information has no impact on small businesses.

6. Consequences of Not Conducting or Less Frequent Collection

The consequences of not conducting this information collection would result in ATF's non-compliance with the Guidelines document. All DOJ law enforcement organizations (except the Federal Bureau of Investigations), must comply with the Guidelines. Making a suitability determination for a potential CI is pertinent and mandatory.

7. Special Circumstances

This information will be collected in a manner consistent with the guidelines in 5 CFR 1320.6.

8. Public Comments and Consultations

All comments received during the 60-day Federal Register Notice period received a response. A 30-day notice will be published in the Federal Register to solicit public comments.

9. Provision of Payments or Gifts to Respondents

ATF will not provide any payment or gift of any type to respondents.

10. Assurance of Confidentiality

ATF Form 3252.5 will be maintained in the CI's hard copy file, and electronically in CIMRRS electronic CI record system. The information contained in the CI file/record is protected by the Privacy Act of 1974. The CI file is maintained in a secure location (i.e., file room) within the ATF field division. Only authorized ATF personnel will have access to the file room, secure cabinet, and CI files. In accordance with the Federal Information Processing Standard 199 Categorization, CIMRRS is identified as a High Value Asset and determined to be a Major Application. Therefore, the information contained in CIMRRS is protected in accordance with Federal standards applicable to a Major Application.

CI information is protected by ATF personnel in accordance with the Guidelines, the Privacy Act of 1974, and ATF's policy. ATF's internal policy, as outlined in ATF O 3252.1A, Confidential Informant Usage, aligns with the Guidelines and the Privacy Act of 1974.

11. Justification for Sensitive Questions

The form does not contain any sensitive questions.

12. Estimates of Respondent's Burden

The number of respondents associated with this collection is 50. Each respondent will answer once to this information collection annually. Therefore, the total annual response is 50. The time it takes to complete the form is 120 minutes. Therefore, the total annual burden associated with this collection is 100 hours, which can be calculated as follows: 50 respondents x 2 hours (120 minutes).

13. Estimate of Cost Burden

Cost is non-existent as completion and submission of the form is coordinated by the CI handler. The CI handler will upload the completed document into ATF's CIMRRS system. Therefore, number 14 on the 83-I will be reported as zero (0).

14. Cost to the Federal Government

There is no cost to the Federal Government.

15. Reason for Change in Burden

There are no changes associated with this submission.

16. Anticipated Publication Plan and Schedule

The results of this collection will not be published.

17. Display of Expiration Date

ATF does not request approval to not display the expiration date of OMB approval for this information collection.

18. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. STATISTICAL METHODS

None