

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Supporting Statement
OMB 1140-0043

National Tracing Center Trace Request/ Solicitud de Rastreo del Centro Nacional de Rastreo –
ATF Form 3312.1/3312.1 (S)

A. Justification

1. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has specific statutory authority to require licensees to cooperate with tracing requests. 18 United States Code (U.S.C.) Section (§) 923(a)(1)(D)(7) requires Federal firearms licensees to respond immediately to, and in no event later than 24 hours, to a request for tracing information that is contained in their records. ATF may inspect a licensee's records without reasonable cause or a warrant whenever necessary, in order to locate information about the disposition of one or more particular firearms, during the course of a bona fide criminal investigation (18 U.S.C. § 923(g)(1)(B)(iii)). Licensees are also required to respond to telephone requests from ATF in conjunction with the tracing of a firearm during the course of a criminal investigation (18 U.S.C. § 923(g)(7)).

Thus, when a firearm is recovered at a crime scene, ATF personnel has authority to examine the records of the manufacturer or importer, to determine the name of the licensee to whom the firearm was transferred. In many cases, ATF can then trace the firearm to the individual purchaser through the Federal firearms licensee's records. Tracing of a firearm is a valuable law enforcement technique and one of the most important ways ATF fulfills its statutory responsibility to assist State and local law enforcement officials in their fight against crime and violence.

2. The National Tracing Center Trace Request/ Solicitud de Rastreo del Centro Nacional de Rastreo - ATF Form 3312.1/3312.1 (S) (ATF Form 3312.1/3312.1) (S) is used by Federal, State, local, and certain foreign law enforcement officials, to request that ATF trace firearms used or suspected to have been used in crimes. These information referrals allow ATF personnel to generate investigative leads to link suspects to firearms used in criminal activities. Tracing information also helps to identify illegal firearms traffickers and trafficking activity. This information is collected from law enforcement officials on a voluntary basis.
3. Approximately 96% of the tracing requests are submitted electronically. Some requests are submitted to ATF on the fillable electronic version of ATF Form 3312.1/3312.1 (S). However, the majority of tracing requests are submitted via the eTrace web-based system, which enables electronic submission of a completed ATF Form 3312.1/3312.1 (S) directly to ATF's National Tracing Center. Currently, almost 9,000 law enforcement agencies are connected to ATF's eTrace system, which allows law enforcement personnel to both submit trace requests and receive trace results. In

addition, ATF has a thorough batch download software provided by the Federal Government to many larger police departments, which allows them to upload information regarding specific firearms, directly to the ATF National Tracing Center. In this way, law enforcement officers in any police department can easily transmit tracing information directly from their own local computer database to ATF. In the future, this collection will be fully electronic.

4. ATF uses a uniform subject classification system 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 (IC).
5. This collection of information does not impact small business or other small entities.
6. This collection is a tool for Federal, State, local and international law enforcement officials to request a trace of a crime gun and/or provide information to ATF regarding firearms with obliterated serial numbers or suspect guns. Without this IC, law enforcement officials would be unable to follow investigative leads regarding illegal firearms trafficking activities.
7. This collection is conducted in a manner consistent with the requirements in 5 Code of Federal Regulations (CFR) § 1320.6.
8. No comments were received during the 60-day Federal Register (FR) notice period. However, a 30-day FR notice will be published to solicit public comments.
9. No payment or gift is associated with this collection.
10. The confidentiality of the identity of the respondent is generally protected under the provisions of the Freedom of Information Act, 5 U.S.C. § 522. Confidentiality is not assured.
11. No questions of a sensitive nature are asked.
12. The total respondents associated with this collection is 1,153. Each respondent will respond approximately 21.24 times, for a total 24,490 responses. It takes approximately 6 minutes to complete the form associated with this collection. Therefore, the total annual burden for this IC is 2,449 hours.
13. There is no cost to the respondent because responses are submitted by either email or fax.
14. The cost to the Federal government is printing totaling \$3,000.00.
15. The adjustments associated with this collection include a reduction of the total respondents by 4,950, due to less requests for firearms tracing during the past year.

Consequently, the total responses and burden hours have also reduced by 319,987 and 31, 999 hours respectively since the last renewal in 2019.

16. The results of this collection will not be published. The information provided is for investigative purposes.
17. ATF requests authorization to avoid displaying the expiration date on the form for this collection for several reasons. Printing the expiration date on the form will increase Government costs to replace form inventories that become obsolete when a new expiration date is issued. Use of the current version of the forms for this collection can continue unchanged through several Office of Management and Budget renewal cycles. Additionally, it would be costly to maintain a substantial inventory of forms to meet the demand of the explosives industry if the expiration date is printed on the form.
18. There are no exceptions to the certification statement.

B. This Collection of Information Employs No Statistical Methods.