

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
OMB # 1140 - XXXX
Semiannual Suitability Request - ATF E-Form 3252.8

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 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. 2., Continuing Suitability Review, mandate that each CI file be reviewed at least annually; and a written report and recommendation must be submitted to a field manager for approval. In addition, the Guidelines mandate that the continuing suitability review must address the factors utilized to make the initial suitability determination. This includes, but is not limited to, the CI's: criminal history report; prior record as a witness in a proceeding; reliability and truthfulness; motivation in providing information or assistance; and alien status, etc. The CI handler will use the Semiannual Suitability Request - ATF F 3252.8 for this purpose, twice a year. Each ATF CI will undergo a continuing suitability review on two occasions, annually. This information will be maintained in the CI's official record.

- 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 provided on ATF F 3252.8 will be collected and maintained by ATF's Office of Field Operations. The purpose of the collection is to conduct a review and document a current CI's information, in order to make an adjudicative determination regarding the individual's continued suitability to be 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, as well as information addressing the individual's suitability. The form will also summarize the CI's number of years and months active with ATF, the monetary payments issued to the CI, the number of illegal activities authorized for the CI to perform, and criminal investigations supported by the CI. ATF F 3252.8 will be used to record the suitability determination for the individual to be a CI for ATF.

- 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.**

ATF F 3252.8 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 the information when interviewing the CI and gathering data from electronic sources (e.g., ATF's Confidential Informant Master Registry and Reporting System (CIMRRS), National Law Enforcement Telecommunications, and National Crime Information Center, etc.). The CI handler will complete the form in preparation for a review and adjudication determination 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 ATF F 3252.8 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 CIMRRS.

The suitability determination will be made electronically within CIMRRS. If CIMRRS is not readily available for any reason, the ATF F 3252.8 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. 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 A.2 above.

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. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The collection of information has no impact on small 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.

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. Conducting a continuing suitability review and making a determination for all current ATF CIs is pertinent and mandatory.

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 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 confidentially to the extent permitted by law.**

There are no special circumstances.

- 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.

The 60-Day Notice was published in the Federal Register on May 24, 2023 (88 FR 33645). The comment period ended on July 23, 2023. No comments were received.

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

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

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

ATF F 3252.8 will be maintained in the CI's electronic record in CIMRRS. The information contained in the CI record is protected by the Privacy Act of 1974. If CIMRRS is not readily available for any reason, the ATF F 3252.8 will be

maintained in a hard copy file. 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 3252.1B, Use of Confidential Informants, aligns with the Guidelines and the Privacy Act of 1974.

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 persons from whom the information is requested, and any steps to be taken to obtain their consent.

The form does not contain sensitive questions.

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. General, 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.**
- **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.**

Activity	Number of Respondent	Frequency	Total Annual	Time Per Response	Total Annual
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	s		Response s		Burden (Hours)
ATF E-Form 3252.8	800	2	1,600	2 hrs.	3,200 hrs.
Unduplicated Totals	800		1,600		3,200 hrs.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

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. Provide estimates of the 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), 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 into a single table.

There is no cost to the Federal Government.

15. Explain the reasons for any program changes or adjustments.

This is a new collection.

16. For collections of information whose results will be published, outline plans for tabulations, 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.

The results of this collection will not be published.

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.

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

18. Explain each exception to the certification statement.

No applicable.

1. Display of Expiration Date

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2. Exception to the Certification Statement

There are no exceptions to the certification statement.

B. STATISTICAL METHODS

None