

**SUPPORTING STATEMENT FOR  
Long-Term Suitability Request - ATF E-Form 3252.13**

**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, subparagraph II, A., 3., Review of Long-Term Confidential Informants, mandates that when a CI has been registered for more than six consecutive years, and, to the extent such a CI remains open, every six years thereafter, the CI's initial and continuing suitability reports and recommendations must be reviewed by the CI Review Committee (CIRC). Subparagraph II, A., 3., further states that every three years after a CI's file is reviewed by the CIRC, if the CI remains registered, ATF must conduct an internal review of the initial and continuing suitability reports and recommendations. The internal review must be completed by a designated senior headquarters official.

The CIRC is comprised of executive level leadership within ATF and the Assistant Attorney General for the Criminal Division, and an Assistant United States Attorney. The CIRC will decide whether, and under what conditions, the CI should continue to be utilized as a CI. The senior headquarters official conducting the internal review is the designated Deputy Assistant Director (DAD) for the Office of Field Operations covering the Eastern, Central, or Western region of the United States for where the CI is assigned.

The CI handler will use the Long-Term Suitability Request - ATF F 3252.13 to initiate the continuing suitability review conducted by the CIRC and the internal by the DAD. Each long-term ATF CI will undergo a continuing long-term suitability review at year 6, 9, 12, 15, 18, 21, etc. 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 3252.13 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, 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 CI's accomplishments as an ATF CI will be documented on the ATF F 3252.13, to include the ATF investigative case numbers supported by the CI. 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 3252.13 will be used to record the long-term 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 3252.13 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 3252.13 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 3252.13 will be used to record the recommendation made by the Resident Agent in Charge (RAC) or Group Supervisor (GS), the recommendation made by the SAC, and the final decision of the DAD or CIRC. Under these circumstances, the RAC or GS, and SAC or his/her designee must sign and date the form electronically. ATF's CI Program Manager will electronically record the decision of the DAD or CIRC on their behalf.

**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.**

There is no significant impact on small business or other private entities.

**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 [DATE] (88 FR 33645). The comment period ended on May 24, 2023. No comments were received.

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

No government funds will be used as payment or for gifts to respondents.

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

Confidentiality is not required in the processing of this information collection.

**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.**

**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.**

The number of respondents associated with this collection is 40. The total annual response is 40. The time it takes to complete the form is 180 minutes. Therefore, the total annual burden associated with this collection is 120 hours, which can be calculated as follows: 40 respondents x 3 hours (120 minutes).

**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).**

- **The cost estimate should be split into two components: (a) a total capital and start up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or**

**contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**

- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

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.**

There are no changes associated with this submission.

**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.**

There are no changes associated with this submission.

**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.**

We are requesting no exemption.

**18. Explain each exception to the certification statement.**

This collection of information does not include any exceptions to the certificate statement.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.**

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OMB Control Number 1140-0NEW

OMB Expiration Date: XX/XX/XXXX

This collection does/does not contain statistical data.