

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
OMB # 1140 - XXXX
Acknowledgment of Deactivation/Removal - ATF E-Form 3252.9

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. At any point while active, ATF may decide to deactivate the CI or remove the CI for cause. Whether deactivated or removed for cause, the CI should be notified.

The Department of Justice (DOJ), Attorney General's Guidelines Regarding the Use of Confidential Informants or (the Guidelines) subparagraph V., A., General Provisions, mandate that if the CI can be located, the CI must be immediately notified that he or she has been deactivated (for cause or for any other reason) as a CI and obtain documentation that such notification was provided. The Guidelines further state that the notification must be clearly conveyed to the CI; and the CI must acknowledge his or her receipt and understanding of the notification.

The Guidelines subparagraph V., B., Delayed Notification to a Confidential Informant, advises that a decision may be made to *delay* notification when an ongoing investigation or prosecution could be jeopardized. Further, the Guidelines state that the decision to delay notification, and the reason(s) supporting it, must be documented and maintained in the CI's record.

The CI handler will use the Acknowledgment of Deactivation/Removal, ATF F 3252.9, to document the notification to the CI; and to record the CI's acknowledgement of the notification of deactivation or removal. The acknowledgment will be maintained in the CI's official record.

2. Needs and Uses

The information provided on ATF F 3252.9 will be collected and maintained by ATF's Office of Field Operations. The purpose of the collection is to document the CI's acknowledgment that he or she is no longer authorized to serve as an ATF CI. The CI will review the ATF F 325.29 sign and date to acknowledge his or her understanding of the notification. In addition to the CI's acknowledgment, the form will capture the CI's contact information (i.e., telephone number(s), current address, name of current employer, and employer's address). The form will identify the CI by their ATF CI number. Other than the CI's signature, the form will *not* contain the CI's name, Social Security number, date of birth, or any other personally identifiable information. ATF F 3252.9 will be used to document the CI's acknowledgment of his or her deactivation or removal and current contact information.

3. Use of Information Technology

ATF F 3252.9 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. In preparation to notify the CI in-person, the CI handler will complete portions of the form. The information completed by the CI handler is minimal: CI Number, Handler Last Name, Handler First Name, Handler's Title, Field Division, Field Office, Date, Law Enforcement Officer (LEO) Witness Last Name, LEO Witness First Name, and LEO Witness Title.

The form will be deemed complete when the CI handler enters the above information, and the form is personally signed and dated by the CI. After completion, the ATF F 3252.9 will be scanned and stored electronically as a .pdf attachment to the deactivation or removal for cause action in the CI's record within ATF's Confidential Informant Master Registry and Reporting System (CIMRRS).

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

The 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. Ensuring the CI acknowledges his or her deactivation or removal from serving as an ATF 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

A 60-day and 30-day Federal Register notice will be published to solicit comments from the public.

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 F 3252.9 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 3252.9 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. Justification for Sensitive Questions

The form does not contain sensitive questions.

12. Estimates of Respondent's Burden

The number of respondents associated with this collection is 300. The total annual response is 300. The time it takes to complete the form is 15 minutes. Therefore, the total annual burden associated with this collection is 75 hours, which can be calculated as follows: 300 respondents x 15 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