

Supporting Statement for Paperwork Reduction Act Submissions

**National Clandestine Laboratory Seizure Report**

**EPIC Form 143**

**[OMB control number 1117-0042]**

Part A. Justification

1. Necessity of Information:

Methamphetamine is a controlled substance under Schedule III of the Controlled Substances Act, 21 U.S.C. § 801 et seq. Section 873(a), of Title 21, authorizes the Attorney General to, among other things, “arrange for the exchange of information between governmental officials concerning the use and abuse of controlled substances” and to “maintain in the Department of Justice a unit which will accept, catalog, file, and otherwise utilize all information and statistics, including records of controlled substances abusers and other controlled substance law offenders, which may be received from Federal, State, and local agencies, and make such information available for Federal, States, and local law enforcement purposes”.

The Drug Enforcement Administration (DEA) hosted a National Methamphetamine Conference in February 1996 in response to the inherent danger posed by clandestine methamphetamine laboratory proliferation throughout the United States. A significant percentage of the conference participants represented State and local law enforcement interests. The clandestine laboratory-working group made several recommendations, one of which was the establishment of a central database through which the nation’s law enforcement agencies could report clandestine laboratory related seizure intelligence and produce reports relevant to those seizures. This recommendation ultimately became part of DEA’s National Methamphetamine Strategy (NMS), which included the establishment of a National Clandestine Laboratory Seizure System (NCLSS).

As a result of the multi-agency methamphetamine conference and DEA’s NMS, the NCLSS was conceived and established at the El Paso Intelligence Center (EPIC) in 1997. The primary focus of the NCLSS database was and is to provide Federal, State and local law enforcement with the ability to have direct electronic access to input, query, and/or update clandestine laboratory seizure information. This initiative is also consistent with the provision of Public Law 106-130, § 3625, which authorizes the DEA to provide specific assistance to state and local law enforcement agencies, to combat illegal manufacturing and trafficking in methamphetamine. EPIC Form 143 is created to be filled out on all seizure incidents to ensure that seizure information is collected an input the same way throughout the United States. NCLSS also provides users the ability to access and share clandestine laboratory-related seizure intelligence and to produce statistical and analytical reports relevant to their clandestine laboratory-related seizures.

In May of 2002, a national drug seizure system was designated as a top priority item as part of the Administration's General Counter-drug Intelligence Plan (GCIP) revalidation review process. One of the initiatives (Action Item B-12) for the El Paso Intelligence Center (EPIC) under the GCIP developed by the Office of National Drug Control Policy (ONDCP) was to provide a national shared comprehensive intelligence database for drug seizure information and related drug movement activities.

In response to the GCIP initiative, EPIC developed the National Seizure System (NSS) which is a web-based interface and repository for collecting seizure information that includes drug seizures, clandestine laboratory seizures, currency seizures, and weapon seizures. It allows authorized users the ability to access, review, update, and search available seizure information. The NSS resides on the EPIC System Portal (ESP) which was developed during phase one of EPIC's Open Connectivity Project (OCP). Through the OCP, authorized federal, state, local, and tribal law enforcement personnel will have secure electronic access to the ESP via the Internet, and other approved networks. The NCLSS will become part of the NSS in the OCP, thus allowing authorized users to report their seizure information electronically and receive immediate feedback and value-added analysis concerning entities reported and contained in the NSS. Accordingly, the NCLSS will no longer be a stand-alone national seizure system, and seizures associated with clandestine methamphetamine laboratories will be reported along with other seizures to the NSS. The paper EPIC-143 eventually will be rendered obsolete as more authorized users are granted access to the ESP.

## 2. Needs and Uses:

The information collected in the National Clandestine Laboratory Seizure System provides a centralized clearinghouse for the storage, retrieval, analysis, and dissemination of laboratory, dumpsite, and chemical and equipment seizure data. The data is useful in determining, among other things, the types, numbers, and locations of laboratories; manufacturing trends; officer safety information; precursor and chemical sources; investigative leads; and the number of children encountered at laboratory sites. Information is also captured on suspects, associates, business, precursors, vehicles, etc. The NCLSS provides U.S. law enforcement agencies with the capability to develop target specific and investigative intelligence. It also promotes coordination between U.S. law enforcement agencies working on the same or similar cases. The user base is growing rapidly and the volume of information to be held in the NCLSS database complements that growth.

The data contained in the NCLSS is used by managers and policy makers at national, regional, state and local level to determine strategy, budget and resource allocations, legislative and regulatory recommendations and policy. The NCLSS provides a means for seizures to be counted and represented accurately in the national picture of the clandestine laboratory-manufacturing problem in the United States.

## 3. Use of Technology:

The EPIC Form 143 is designed to be easily understood and filled out by all law enforcement agencies. The form is available electronically. Law enforcement personnel can fill out the form online before printing. Additionally, online entry can be made directly into the database. Currently, 1163 forms (14%) are completed electronically.

#### 4. Efforts to Identify Duplication:

The NCLSS is the only national source of statistics and other information on clandestine laboratory seizure incidents. All seizures can be queried prior to input, and duplicate reports can be identified and avoided.

#### 5. Methods to Minimize Burden on Small Business:

EPIC form 143 is completed by Federal, state, and local law enforcement agencies. There is no impact on small business.

#### 6. Consequences of Less Frequent Collection:

The form should be filled out at the time a seizure incident has occurred. Once that information is input into the database, all participating members then can access the data. Frequency of collection depends on frequency of seizure incidents.

#### 7. Special Circumstances Influencing Collection:

Due to the uniqueness of each clandestine laboratory seizure, the forms reflect one-time collection of data.

As part of the quality assurance process respondents may be contacted for clarification of seizure incidents or asked to provide additional information, as deemed appropriate.

#### 8. Reasons for Inconsistencies with 5 CFR 1320.6:

There are no inconsistencies with the Paperwork Reduction Act. DEA works cooperatively with all Federal, state, and local law enforcement agencies.

Members of state and local law enforcement agencies provided feedback regarding the categories of information that are useful for the DEA to collect regarding clandestine laboratory seizures. The form was designed to ensure that respondents will not be required to continuously supplement prior submissions.

DEA did not receive any comments concerning this collection.

#### 9. Payment or Gift to Claimants:

No gift or payment will be provided to law enforcement personnel for filling out the form itself.

10. Assurance of Confidentiality:

The data will be maintained in the National Clandestine Laboratory Seizure System, a system of records used for law enforcement purposes. As such, use and disclosure of information contained therein will be strictly controlled and will be confined to those who have a need for the information in conjunction with law enforcement responsibilities. The DEA published a Final Rule in the Federal Register on March 24, 2003, exempting this system of records from some provisions of the Privacy Act pursuant to 5 U.S.C. § 552(j) and (k).

11. Justification for Sensitive Questions:

The data to be collected is necessary for the enforcement of the nation's criminal laws concerning controlled substances manufacture, 21 U.S.C. § 801 et seq. It is to be contained in a system of records for which routine uses include criminal investigations.

12. Estimate of Hour Burden:

Number of Respondents: 92  
Frequency of Response: As needed  
Average Time per Response: 1 hour

Total Paper Responses: 7328  
Total Burden for Paper Responses: 7328 hours

Total Electronic Responses: 1163  
Total Burden for Electronic Responses: 1163 hours

Total Annual Burden: 8491 hours

13. Estimate of Cost Burden:

Currently, 15% of the 7328 paper responses are mailed.

Mailing cost: 1832 paper responses x \$0.39 = \$714.48

14. Estimated Annualized Cost to Federal Government:

GS-13 step 8 (10% of work year) = \$12,211  
WP-2 Contractor (GS-4) (100% of work year) = \$38,387  
WP-3 Contractor (GS-5) (100% of work year) = \$42,947

Total Cost to Government: \$93,545

15. Reason for Program Changes:

All Changes in burden are due to adjustments in population fluctuation.

16. Plans for Publication:

EPIC does not perform any statistical analysis; the data is aggregated and published.

17. Expiration Date Approval:

An expiration date on the form will result in unnecessary confusion and increased stockage costs to local law enforcement agencies, which may use the form only occasionally. For this reason EPIC is requesting an exception to the requirement to have the expiration date appear on the form.

18. Exceptions to Certification Statement:

There are no exceptions to the certification statement.

Part B. Collections of Information Employing Statistical Methods:

The Drug Enforcement Administration does not employ statistical methods in this information collection.