

SUPPORTING STATEMENT

A. Justification

1. Necessity of Information Collection

Among the many operations related to the criminal justice statistics function of the Bureau of Justice Statistics (BJS) is the administration of the National Criminal History Improvement Program (NCHIP), established by the Brady Handgun Violence Prevention Act (Brady Act). The Brady Act mandates criminal history background checks on persons applying to purchase firearms from federally licensed firearm dealers. The goal of the NCHIP program is to ensure immediate availability of complete and accurate State criminal history records in support of the Brady Act requirements. NCHIP is designed to assist States to develop or improve existing criminal history records systems and to establish an interface with National record systems.

The Firearm Inquiry Statistics (FIST) program, within BJS, collects information on background checks conducted by State and local agencies. The State and local data collected under the FIST program, when combined with data from the Federal Bureau of Investigation (FBI) National Instant Criminal Background Check System (NICS), provides the only existing national estimates of the total number of applications and rejections resulting from the Brady Act and similar State laws governing background checks and firearms transfers. As such, the FIST program is essential to assessing the impact of the Brady Act and the NCHIP program nationally.

The FIST program falls within the statutory mission of BJS under Title 42 U.S.C. Section 3732 (Attached), to wit, the collection and analysis of statistical information regarding the operation of the criminal justice system at the Federal, state, and local levels.

2. Uses of Information

The data collected will be used to provide national estimates of the total number of applications and rejections for firearm transfers resulting from the Brady Act and similar State laws. The data will be useful for policy making at all levels of government.

3. Efforts to Minimize Burden

The FIST program allows participating agencies to provide information on paper or diskette, or electronically via the Internet. In addition, special software was developed and distributed free of charge to requesting agencies. This software was designed to simplify the record tabulating functions of the agency and to help reduce the burden of keeping the statistical data. The software also automatically reports the data needed for the information collection. Based on previous iterations of the information collection, BJS estimates that up to 30% of respondents will use the Internet option. The data are

collected twice annually, with each report covering the prior 6-month period. It is estimated that data collection averages fifteen minutes per respondent, per report, for a total annual burden of thirty minutes per respondent.

4. Efforts to Identify Duplication

There will be no duplication of effort based on the nature and scope of this survey. The information sought is not attainable from any other data source.

5. Minimizing Burden on Small Businesses

Not applicable. No information will be gathered from small businesses.

6. Consequences of Not Conducting Collection

This data collection is the only source of national data on the number of applications and rejections for firearms transfers, and it is essential to assessing the impact of the Brady Act and the NCHIP program. There are no other sources for these data.

7. Special circumstances that would increase respondent burden

There are no special circumstances that would require a respondent to report more than twice annually, report in less than 30 days, retain records over three years, or in any other foreseeable way increase the respondent burden to provide the requested information.

8. Public Comments and Consultations

BJS has consulted with staff of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and the Federal Bureau of Investigation (FBI) regarding the content, data availability, and the clarity of instructions. The notices for the 60 and 30 day federal register notices were published and no comments were received.

9. Provision of Payments or Gifts to Respondents

Not applicable. The Bureau will not provide any payment or gift of any type to respondents. Respondents participate in the survey on a voluntary basis.

10. Assurance of Confidentiality

Respondents are informed that survey participation is voluntary. The data collected are in the public domain and not subject to confidentiality guarantees. The data collected are summary statistics of an administrative nature, and do not allow for the identification of any individual.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature included in the data collection.

12. Estimate of Respondent Burden

The data collection form will be sent to 683 State and local agencies in the United States, twice annually. The average time required for each agency is fifteen minutes for each collection, or thirty minutes annually. The total respondent burden is estimated at 341.5 hours. The estimated burden was derived from the previous iteration of the collection, and from ongoing review of the information collection instrument.

The survey form, in most cases, will be filled out by one person per response, equivalent to the GS-15 / 01 level (\$107,521 per year). The cost to the respondent would be about \$12.92 per survey form, or \$25.84 annually. For all respondents, the cost is \$17,649.

13. Estimate of Respondents' Cost Burden

This information collection will require only information that is already generated and maintained by the respondents. There is no additional cost to respondents other than the cost of filling out the survey form.

14. Cost to Federal Government

The total cost to the Federal government for this survey is estimated at \$77,630, all to be borne by the Bureau of Justice Statistics. Office costs are based on 6 months full-time work of a GS-14 / 01 Statistician salary (\$91,407 per year) and benefits (25 percent of salary) and per employee administrative costs of the Bureau of Justice Statistics.

Summary of Cost Estimates

Office Costs (BJS)

Salaries	\$45,704
Benefits	11,426
Other administrative cost	<u>20,500</u>

Total Cost **\$77,630**

15. Reasons for Change in Burden

The change in burden is entirely due to the fact that this collection of information has not previously been submitted to OMB for review. When the FIST program was started, it was not entirely clear that this collection of information would require OMB approval due to the nature of the cooperative agreement with the data collection agent, as well as the fact the data were in most cases already being collected by the respondents in the course of their regular operational activities. In addition, FIST project management has been handed-down to successive employees over the past years without clear guidance or direction regarding BJS' understanding of the need for OMB approval for this project. After attending DOJ-sponsored training and consulting with the DOJ's OMB clearance office, and following a review of data collections sponsored under the NCHIP program, BJS is submitting the FIST collection to OMB for review.

16. Publication Plans and Schedule

Information collected will be reported in a Bureau of Justice Statistics bulletin. The projected schedule for data collection, publication and data release is as follows:

Preparation	Month 1
Data collection	Months 1-2 and 11-12
Data processing/analysis	Months 12 - 14
Publication release	Month 16

17. Display of Expiration Date

The expiration date will be shown on the survey form.

18. Exceptions to the Certification Statement

There are no exceptions identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.